

Supreme Court of the District of Columbia

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No. 783

HARRY FRANKLIN PETERSON

**I. F. WILSON, AS DISTRICT DIRECTOR, IMMIGRA-
TION AND NATURALIZATION SERVICE, DEPART-
MENT OF JUSTICE,**

**ON WRIT OF HABEAS CORPUS TO THE UNITED STATES CIRCUIT COURT
OF APPEALS FOR THE DISTRICT OF COLUMBIA**

RETURNED TO THE CLERK OF THE SUPREME COURT OF THE DISTRICT OF COLUMBIA, 1944

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No. 10450

United States
Circuit Court of Appeals
For the Ninth Circuit.

HARRY BRIDGES,

Appellant,

vs.

**I. F. WIXON, as District Director, Immigration
and Naturalization Service, Department of
Justice,**

Appellee.

Transcript of Record
VOLUME VI
Pages 2401 to 2882

**Upon Appeal from the District Court of the United States
for the Northern District of California,
Northern Division**

RICHARD A. ST. CLAIR

called as a witness on behalf of the Government,
having been first duly sworn, testified as follows:

Presiding Inspector: Your name and address?

The Witness: Richard A. St. Clair—S-t. C-l-a-i-r.

Presiding Inspector: Your address? [1730]

The Witness: I haven't my glasses. Here it is:

(A paper with the address "13812 Budlong
Street, Garden, California," was handed to
the reporter.)

Direct Examination

By Mr. Del Guercio:

Q. Speak a little louder, please.

A. I can understand you.

Q. Will you speak out loud, please, so every-
body can understand you—louder than you have
been speaking.

A. I can hear what you are saying now.

Q. Will you speak louder?

A. I will; yes.

Q. Louder than you are now?

A. Yes, sir.

Q. So everybody can hear you?

A. All right.

Presiding Inspector: Shout so the man down
there (indicating) will hear you.

The Witness: All right.

By Mr. Del Guercio:

Q. What is your name?

A. Richard A. St. Clair.

Q. Where do you live?

(Testimony of Richard A. St. Clair.)

A. Los Angeles.

Q. What is your occupation now? [1731]

A. General laborer.

Q. Who do you work for?

A. For Mr. Kerr.

Q. K-e-r-r?

A. K-e-r-r, I believe it is. That is the name on this (indicating).

Q. How old are you?

A. 51 the 29th day of April.

Q. Where were you born?

A. 1890, in Kansas City, Kansas.

Q. And have you ever been a member of the Communist Party? A. I have.

Q. Where did you join the Communist Party?

A. I joined the Communist Party in the city of San Francisco in 1934, March.

Q. Did anyone ask you to join?

A. Yes, sir.

Q. Who?

A. A man by the name of Lawrence, a member of the Party.

Q. Lawrence?

A. That is his first name. I don't recall his last name.

Q. What did he say when he asked you to join the Communist Party?

A. Well, at that time I had been unemployed, out of work, [1732] and the Workers Ex-Service Men's League had a vacant lot down on Howard Street, between Third and Fourth Streets, and the

(Testimony of Richard A. St. Clair)

Communist Party had control of this lot. I used to attend meetings there every day, mass meetings of the Communist Party, that the Communist Party conducted, and the Workers Ex-Service Men's League, and it was at that lot where I was approached and asked to join the Communist Party. I did by filling out the application blank presented to me. That was about the middle of February of 1934. It was about three or four weeks later that I was called, notified to come to the Communist Party headquarters at 37 Grove Street.

Q. Under what name did you join the Communist Party?

A. I first joined the Communist Party under my true name, Richard A. St. Clair.

Q. Did you ever use any other name while a member of the Communist Party?

A. Yes. I once dropped out of the Communist Party and I was requested to rejoin the Communist Party a second time by Elmer Hanoff, and another Party member by the name of Voicht.

Q. When was that?

A. That was in 1935, about three months after I had dropped out of the Party the first time.

I did not immediately rejoin the Communist Party until about the middle of 1935 [1733]

I had taken part in aiding the Communist Party on the waterfront in the 1934 longshore strike.

Q. Wait a minute. When you first joined the Communist Party that was in 1934?

(Testimony of Richard A. St. Clair.)

A. When I first joined the Communist Party; yes, sir.

Q. What did you do, if you did anything, for the Communist Party?

A. Well, I spoke at the Howard Street lot, between Third and Fourth Streets, agitating among the workers to give their moral and undivided support in behalf of the ILA longshoremen who were out on strike at that time. We took up collections for them.

I also went down to the picket line, aided the longshoremen, and spoke at Pier 48. At that time they had a big mass demonstration there. Henry Schmidt and John Shoemaker were there, and they spoke, and at the conclusion of their speaking I spoke to the longshoremen.

At that time I was on picket duty, assigned to the job by Harry Stroud, who was chief, Captain of pickets for the old Marine Workers Industrial Union.

Q. Was he a member of the Communist Party too?

A. He was a member of the Communist Party too.

Q. How do you spell his name?

A. S-t-r-o-u-d.

Q. You mentioned Henry Schmidt. Was he a member of the [1734] Communist Party?

A. Henry Schmidt is a member of the Communist Party; yes.

(Testimony of Richard A. St. Clair.)

Q. You say when you joined the Communist Party you went to 37 Grove Street?

A. I did.

Q. Did you ever work at 37 Grove Street for the Communist Party?

A. Yes. I worked at 37 Grove Street for the Communist Party as a guard of their headquarters there.

Q. Who gave you a job as guard at 37 Grove Street?

A. Well, the Party had received information that soon there were going to be raids staged on the Communist Party. A member of the Communist Party Control Board by the name of Ed Harris, who was President of the A. F. of L. Machinists' Union, he was assigned the task to go around and visit all of the Communist Party Units on that particular Thursday night. We all had to take our papers, and everything out of our pockets, and lay them on the desk for Ed Harris to examine those papers, to see if we had the names or addresses of any of our party members, or anybody else, and he warned us not to carry the names of anybody around, or the addresses, because there soon was to be some raids staged against the Communists.

We followed those instructions.

Q. Now, how long did you work as guard at 37 Grove [1735] Street?

A. I was at 37 Grove Street for about three or four months as a guard.

(Testimony of Richard A. St. Clair.)

Q. Were there any other guards employed?

A. Yes; there were other guards there. Ed Harris instructed the organizer of each unit of the Communist Party in the City of San Francisco, for the membership to select one member from each unit to be sent up to the Communist Party headquarters at 37 Grove Street to act as a guard to protect their property against any raids that they expected to be staged at that time.

Q. How many such guards were there?

A. Well, they could only muster about four or five guards. The members of the Communist Party in the city were afraid to volunteer for guard service at Party headquarters and they had to depend upon the membership of the Marine Workers Industrial Union to send its members up there for patrol and guard duty. There were at least about 15 to 19 members of the Marine Workers Industrial Union that came up there to act as guards. [1736]

Q. That 37 Grove Street, that was the Communist party headquarters, was it not?

A. That was the Communist Party headquarters at that time; yes sir.

Q. Now, were you given any guns?

A. Yes, we were supplied with guns. But first we had no guns and had to depend on base ball bats, which was supplied by the Communist Party.

Q. Who gave you the guns?

A. Just a minute! I am arriving at that now. And we members in front of that place were not

(Testimony of Richard A. St. Clair.)

satisfied with the use of base ball bats, and I went to Sam Darcy and insisted that we be provided with guns. Sam Darcy did not have the money in his pocket at that time. He went to Jeff Goodman, who was book agent for the Communist Party, on the lower floor of 37 Grove Street and Sam Darcy says "How much will a gun cost?" I told him I thought it cost somewhere around \$12.00. He said, "Jeff, let this fellow have \$12.00 to get a gun with." So Jeff Goodman gave Sam Darcy \$12.00. Sam Darcy hands the money to me and Bill Green was standing right there, and I asked Bill if he would accompany me down to the pawn shop to get the gun. He said "Yes". So he accompanied me down to the pawn shop and I selected the gun, which the salesman asked \$12.50 for at that time. But I only had the \$12.00. He says, "Well, I will let you have it for the \$12.00."

[1737]

Q. What kind of a gun was that that you got?

A. 12-gauge automatic.

Q. Under what name did you buy it?

A. I bought that gun in the late part of 1934 at 77 Third Street.

Q. What name?

A. Richard S. St. Clair, but gave a false address.

Q. You gave a false address?

A. A false address, yes, sir.

Q. Who told you to give a false address?

A. Well, at the time I signed my name to that

(Testimony of Richard A. St. Clair.)

slip of paper there I come nearer putting down 37 Grove Street, but upon second thought I had better not. So I told to Bill Greene, I said, "Bill, what is that address where we left?" I thought he might have supplied the address. "Well," the salesman said, "put down anything. It don't make any difference." So I put down a false address.

Q. Now, how long were you employed as a guard at 37 Grove Street?

A. Oh, about two or three months.

Q. Were you given any salary?

A. Given ten cents a day, and I took that ten cents to buy my breakfast with.

Q. Did you have any other employment during that time?

A. None. I had no employment at that time.

[1738].

Q. How were you able to live, exist on ten cents a day?

A. Well, at that time the City and County of San Francisco had a soup kitchen established on Ritch Street, and we would go down there at four o'clock in the evening—in the afternoon to get a lunch. But if we stayed at the shelter supplied by the City and County of San Francisco, we had beds there. But because of my being on duty at the Communist Party headquarters at night time I did not use that bed. But I know that that bed was kept vacant during my absence, and when I returned I re-occupied my same bed again.

(Testimony of Richard A. St. Clair.)

Q. How many hours a day did you work as guard there at 37 Grove Street for ten cents a day?

A. Well, I put in all night long. I wasn't there in the afternoon, but returned to be there to take over after the office had closed.

Q. Do you remember when the Communist Party moved their headquarters from 37 Grove Street?

A. On or about June the 10th, 1935.

Q. And where did they go?

A. They moved from 37 Grove Street to 121 Haight Street.

Q. And did you go there to 121 Haight Street as a guard also?

A. I was employed by Elmer Hanoff to be a guard there [1739] at the Communist Party headquarters at 121 Haight Street.

Q. And for how long a period did you remain as guard at 121 Haight Street?

A. I was there from June the 10th, the very first that the Communist Party headquarters moved into there, up to about December the 1st; right around about that date.

Q. Did you have any gun there?

A. Yes. We had guns there.

Q. Did you have more than one?

A. We had more than the one that I had first purchased because I was given additional sum of money to go and buy another gun, and I bought a 12-gauge automatic, free shot, and this gun I

(Testimony of Richard A. St. Clair.)

purchased at a small sporting goods shop at Market and Gough Street near the corner. And I signed my name, a Party name of Burt Barrett. When I rejoined the Communist Party again the second time I went in under the name of "Burt Barrett".

Q. Who gave you the money to buy the second gun?

A. I went to Elmer Hanoff and insisted on having money to get another gun, and Elmer Hanoff instructed Catherine McKee to give me the money. And she gave me \$9.00 and I went down to this sporting goods shop and bought the gun.

Q. Do you know Harry Bridges.

A. Yes. I do know Harry Bridges. He is sitting in the chair right there (indicating).

Q. Is that him over there? [1740]

A. That's Harry Bridges, right there (indicating).

Q. Did you ever see him—

Presiding Inspector (interposing): You haven't any doubt about that, have you?

The Witness: What is that?

Presiding Inspector: You haven't any doubt about that?

The Witness: Oh, none at all. No sir. None at all.

By Mr. Del Guercio:

Q. Did you ever see him at 121 Haight Street?

A. Oh, yes. I have saw Harry Bridges at 121 Haight Street.

Q. How many times?

A. Several times.

(Testimony of Richard A. St. Clair.)

Q. On what occasion did you see him the first time? That is, when was that, about?

A. Well, the first time Harry Bridges came there he appeared by himself, the first time.

Q. Were you acting as guard then?

A. I was.

Q. Did he come to you?

A. He didn't come to me, no. He knows his ropes.

Q. He knows his what?

A. He knows the ropes. He didn't have to come to me.

Q. Did you let him in?

A. I didn't have to let him in. The doors is open to [1741] the public to go into the building.

Q. Do you know where he went?

A. He went to Schneidermann's office, Elmer Hanoff's office.

Q. Did you see him go up there?

A. I didn't see him go up there. I saw him after he was in the building.

Q. Do you know where Schneidermann's office is?

A. I do.

Q. Where is it in that building?

A. I had access to every office in the building.

A. Do you know where Elmer Hanoff's office was?

A. Yes, sir; I do.

Q. Did anybody but Communists occupy offices in that building?

A. They are all known Communists that occupy offices in that building and known to the public as Communists.

(Testimony of Richard A. St. Clair.)

Q. When did he come there the next time?

A. Well, I couldn't give you the exact date because I want to explain it to you: That I had a confidential position and I knew that it was unsafe for me to carry names, addresses or anything around my person or in my possession there at Communist Party headquarters because my suitcase and clothes had been rifled several times, and I knew then that some of the Communists executives were searching my effects to see if I possessed any information concerning any of the mem- [1742] bers or any of the activities of the Party. For that reason I could not keep dates there or persons at the Communist Party headquarters or anybody else, but I memorized it.

Q. Did any official of the Communist Party, Elmer Hanoff or Sam Darcy or Elaine Black or anyone else give you any instructions about Harry Bridges?

A. Well, I will tell you. At one particular time in May of 1936 Harry Bridges, Henry Schmidt and John Schomacker arrived at the Communist Party headquarters at 121 Haight Street. By the time of their arrival I was downstairs doing some work in the basement, but I left my work to make my rounds of the Communist Party headquarters, which was my duty to see if there was any strangers or anybody around in the building. And in performing my services there I went into the top floor on the third floor and I observed Harry Bridges, Henry Schmidt and John Schomacker of

(Testimony of Richard A. St. Clair.)

the International Longshoremen's and Warehousemen's Union sitting at a table and Elmer Hanoff, Schneidermann, Walter Lambert and Lawrence Ross were all sitting down at a table with papers before them holding a conference.

Q. Did you hear anything that was said?

A. Wait a minute! No. I did not hear anything that was said. After I recognized them I went back downstairs. And then after Harry Bridges—they had been there about two hours or two hours and a half, and after Harry Bridges then [1743] had left, after the meeting was over, I was downstairs at the foot of the stairway there, sitting in the chair for the purpose of keeping anyone from going upstairs to observe Harry Bridges, Henry Schmidt and John Schomacker. After the meeting was over they came downstairs from the top floor. Harry Bridges goes into the office of Henry Schneidermann; Henry Schmidt, John Schomacker goes into the office of Hanoff, and they were in there just about two or three minutes. Harry Bridges come out first and went on, out of the building, to be followed a moment later by Henry Schmidt and a moment later by Schomacker, and after they had left I objected to Hanoff about Harry Bridges' presents at Communist Party headquarters.

Q. By "presents" you mean "presence"?

A. Yes. He said, "What's the matter?" I said, "Remember, Hanoff, there are about two guards there at this building," and I said, "Harry

(Testimony of Richard A. St. Clair.)

Bridges has time and again denied that he was a Communist," and I said, "If seeing eyes observed Harry Bridges, Henry Schmidt and Schomacker at this building and it becomes known to the public," I says, "There may be a raid on this building here and we two boys would get our heads busted open".

Hanoff says, "Bridges is all right. Bridges is all right. He is one of us."

I says "Do you mean by that that Harry Bridges is a [1744] Party member?" He says "Yes". He says "Keep your mouth shut". He says, "Don't say anything to no one about this".

I said, "Hell; no! I won't, Hanoff". I said "We should be proud to have a fellow like Harry Bridges in the Party."

Then I went on with my work and Hanoff went on in his office.

Q. You spoke about another guard. Who was the other guard?

A. The other guard was Gus Wilkie.

Q. Gus Wilkie?

A. Yes. I hope I am making it plain to everybody in this building; so there will not be any misunderstanding.

Q. Did you ever see Bridges at 121 Haight Street any other time?

A. Yes. He came there at the Communist Party headquarters. A mass meeting was going on there. It was open to the public. It was some kind of affair where they served meals and lunches. Harry Bridges come in there about ten o'clock at

(Testimony of Richard A. St. Clair.)

night and I was on duty at the door. I realized that Harry Bridges was coming into a place jammed with people, so I stopped him at the door. I said, "Harry, do you want to see somebody here? Walter Lambert?" He said, "Yes, I want to see Walter Lambert".

I said, "Wait until I get Lambert".

So Harry Bridges waited at the main doorway, the entrance to the auditorium. So I retired to the dining room [1745] and made contact with Walter Lambert. I said "Lambert, Harry Bridges is out there and wants to see you". Lambert came out right away to meet Harry Bridges. But I remained in the dining room and Walter Lambert returned to where I was at in the dining room, and he said "Let us upstairs, will you?"

So I went with Walter Lambert and opened the door. I let Harry Bridges and Walter Lambert go upstairs to the office. How long they had been up there I don't know, because when I started out to make my rounds at 11:00 o'clock at night upstairs the front door bars were all down, the door was open and anybody could walk in. The place was unguarded up there because both of us guards were down on the main auditorium.

Q. When was that?

A. That was in 1936.

Q. Do you remember the month?

A. I believe it was right around at about—I think it was sometime in March, I believe. I can't give exact dates.

(Testimony of Richard A. St. Clair.)

Q. Did you see him there any other time?

A. Oh, he has been there four or five times to my knowledge, but I paid no attention to him. He has been there five times that I know of, but I paid no attention to him.

Q. Had you been given any instructions about keeping anybody from that place, 121 Haight Street?

A. I was given instructions there to observe the faces of any people coming into that building there, and if I knew [1746] them to be strangers and they were nosing around, to inquire of their purpose there. If they were looking for someone in the office there it would be my place to direct them to the office. But after the building was closed, that was another thing. Anybody who attempted to force their way in there, we were to use firearms.

Q. After the building was closed could anybody but a Communist get into that place?

A. Nobody but a Communist could get into that place after the building was closed, and if we knew them to be a member of the Communist Party we would open the door and find out what their admission was.

Q. Did Harry Bridges ever try to get in there after the building was closed? A. No.

Q. What? A. No.

Q. Did you ever see him come in there?

A. Oh, I haven't seen him come in there, but I have seen him after he has been in the building.

(Testimony of Richard A. St. Clair.)

Q. But you never saw him come in there after the building was closed?

A. No, except this one time that Harry Bridges called there that night, this Party affair. The main building was closed to the public, but the auditorium was the only part of the building that was open to the public except that I had to open the door to let Harry Bridges and Walter Lambert go up- [1747] stairs to his office. And that's the only time I ever saw Harry Bridges in the main part of the building after it was closed.

Q. There was nothing going on there at that time, was there?

A. Not at that time there was. He come to see him, but the following day Walter Lambert never showed up and he was absent from the place for about two weeks. The next morning after Harry Bridges called here, they were having some trouble on the San Pedro waterfront. I imagine that was where Harry Bridges and Walter Lambert went to.

Q. We don't want to know about that now. Did you ever see Bridges there at other times than the occasions you mentioned?

A. Oh, he could have been there several times without my knowledge. Yes, he could have, because there was other work to carry on in the building. That was a large building.

Q. How much were you getting at 121 Haight Street?

A. At 121 Haight Street I received the grand

(Testimony of Richard A. St. Clair.)

sum of \$5.00 a week, and compelled to pay all my own expenses out of that money: laundry, food and everything.

Q. Were you doing any other kind of work?

A. Anything to be done around there; cleaning up the building. [1748]

Q. No. I mean, anywhere else? Did you have any other income at that time?

A. No. No other income coming at that time. No, sir.

Q. Have you ever been arrested, Mr. St. Clair?

A. Oh, yes. I have been arrested for helping that boy there to carry on that labor movement, yes.

Q. How many times have you been arrested?

A. Well, I was arrested during the 1934 raids and I believe I spent something like 42 days in jail, and was one of those on that hunger strike. And I was also arrested again at the City Auditorium at the time of the American Federation of Labor holding their convention here in 1934. I was assigned the special job by Sam Darcy himself to distribute Communist labor leaflets to the delegates to the A. F. of L. Convention, and I was arrested at that time.

Q. Have you ever been a member of the Marine Workers Industrial Union?

A. I never have, no. But I have carried the buttons, been supplied with buttons bearing the Marine Workers Industrial Union.

Q. Who supplied them?

A. This here Harry Stroud.

(Testimony of Richard A. St. Clair.)

Q. Who is he? Is he a Communist Party member?

A. He is a member of the Communist Party. I spoke of him earlier at the beginning of the hearing. He is a member of the Communist Party and he supplied me with those Marine [1749] Workers Industrial Union buttons to give me authority to go on the picket lines.

Q. All of these arrests, which you mentioned, were they in connection with Communist Party demonstrations?

A. Yes. These arrests were connected with the Communist Party demonstrations.

Q. Have you ever been convicted of any crime?

A. Not while I was a member of the Communist Party.

Q. At any time?

A. At any other time? I have been convicted of a crime.

Q. What? A. At Lakeport County.

Q. For what?

A. Well, at that time I had been employed some time in June. The old ILA under the leadership of Harry Bridges had purchased a camp up at Lower Lake, California, at Lakeport County and this camp was supposed to belong to the ILA. But, in fact, Communists run that camp there and I was recommended as a caretaker of that camp by a member of the Communist Party by the name of B. F. Rosenfeld. And we were engaged by a one Gus Brown. That is, that was supposed to be his

(Testimony of Richard A. St. Clair.)

name, but I doubt if it is his true name. Gus Brown.

Q. What were you arrested for?

A. At that time I just returned from burying my mother [1750] at Kansas City, Kansas and was re-assigned to the camp again in 1937. And we was arrested up there for being drunk, and there was some shooting down there that night and I called to the Sheriff in order to have a man arrested there who had a rifle in the rear end of my car, and he threatened to use it on Gus Wilkie. I called the Sheriff, but the Sheriff went to work and arrested all of us. I received 75 days.

Q. On what charge, do you know?

A. Disturbing the peace.

Q. Have you ever been arrested at any other time? A. I have been arrested for drunk.

Q. Have you ever been on relief?

A. I have been on relief; yes, sir.

Q. How many times and when?

A. I have been on relief off and on several times. Here in San Francisco when I wasn't on relief, why, I would be working at the Communist Party headquarters or I would be working on the WPA or the PWA.

Q. I believe I asked you this, Mr. St. Clair. How long did you work as a guard at 121 Haight Street?

A. I put in about a year and a half there all told.

Q. You started there when?

A. What?

(Testimony of Richard A. St. Clair.)

Q. You started working there as a guard when?

A. When the Communist Party first moved into the head- [1751] quarters there. I believe it was sometime in June.

Q. What year? A. 1935.

Q. And you stayed there, you say, about a year and a half?

A. About a year and a half all told I was there at the Communist Party headquarters.

Q. Until about 1936?

A. Yes. I was there in 1936, yes.

Q. Until the end of the year in 1936?

A. Yes.

Q. When did you quit?

A. I quit in the late part of June. Yes, I quit in the late part of June.

Q. '36 or '37? A. '36.

Mr. Del Guercio: '36. You may cross examine.

Presiding Inspector: You have the witness:

Cross Examination

By Mr. Gladstein:

Q. Mr. St. Clair, can you hear me?

A. Yes, sir.

Q. Can you hear me now? A. Yes, sir.

Q. You have a pretty good memory, haven't you? [1752] A. How is that?

Q. You have a pretty good memory?

A. Pretty good.

Q. Pretty good for dates, too?

A. Well, not for dates; not up there at that place.

(Testimony of Richard A. St. Clair.)

Q. Good for faces?

A. Not altogether, because I couldn't keep the dates and I regret I can't supply them.

Q. You put the dates in your mind?

A. I couldn't keep the dates in my mind, but close enough to it to know as well as to know these men and what happened and what took place there.

Q. Now, you say you saw Harry Bridges up there only five times?

A. I have saw Harry Bridges four or five times.

Q. Could it be more than that?

A. It could have been more than that, yes, because I would be busy in other parts of the building.

Q. Could it be you saw him there maybe ten times?

A. Oh, I couldn't say I saw him there ten times.

Q. You couldn't say it?

A. No. Four or five times I said.

Q. When was the first time?

A. Well, the first time was 1935; in the late fall of 1935.

Q. Well, when is "the late fall?" What month would [1753] you say?

A. Well, I would say somewhere along about September; the late part of September, yes.

Q. Is there anything that happened at that time that helps you say September? Can you remember something that makes you able to say September?

A. Well, because of the strike troubles that hap-

(Testimony of Richard A. St. Clair.)

pened there on the waterfront, and it was my impression that Harry Bridges was up there at that time to get some information and instructions.

Q. That is in September of 1935? A. Yes.

Q. All right. Now, that is the first time you saw him? A. That was the first time.

Q. Do you remember what time of day it was?

A. What time of day? Oh, no.

Q. Can you tell me whether it was in the morning or in the afternoon or at night?

A. In the afternoon.

Q. In the afternoon?

A. But I can't tell you what time, just what time it was.

Q. In the middle of the afternoon?

A. It was some time in the afternoon.

Q. Do you remember whether it was a week day or a Sunday? [1754]

A. It was a week day, not a Sunday.

Q. You didn't work there on Sunday?

A. Oh, yes.

Q. Oh, you did?

A. Twenty-four hours a day. I lived there and slept there.

Q. Every day of the week?

A. Every day of the week I was there; yes, sir.

Q. All right. Well, where did you see him on that occasion? Where was he when you saw him?

A. Coming out of Hanoff's office.

Q. And where was that office?

A. Hanoff's, you come up the second floor, third

(Testimony of Richard A. St. Clair.)

door from the right as you get to the top of the stairway and then turn into Catherine McKee's office and then into Hanoff's.

Q. What were you doing there at the time?

A. I was a guard.

Q. You were acting as a guard?

A. "Acting"? I was not "acting" as a guard. I was a guard.

Q. You were the guard. Were your duties to be a guard twenty-four hours of the day and night?

A. Any and all hours of the day that it required it.

Q. Well, were your instructions to be a guard all through the day and the night? [1755]

A. Yes, sir.

Q. Did you have any other duties?

A. Any other duties that was necessary to be done around there; janitor work, and I cleaned up their offices and the auditorium. And there was some more information. I was to go and help to build and reinforce the building, the doors and windows for protection against raids.

Q. Then you were a janitor also as well as a guard?

A. Oh, everything.

Q. Did you have a regular routine? Do you understand what I mean?

A. No, we didn't have it, a regular routine. No, we didn't.

Q. You didn't do regular things at certain hours of the day?

A. No.

(Testimony of Richard A. St. Clair.)

Q. How often would you clean up the offices?

A. Every evening; sometimes I did not finish in the evening. I would do it in the morning.

Q. Anything else you would do there besides guard and janitor?

A. Yes. I would be sent out on missions for the Party.

Q. I see. How often would you be sent out?

A. Whenever it was necessary. I was sent out four or five times. [1756]

Q. Four or five times what? Every day or every week?

A. Every day; week days.

Q. Every day?

A. Yes, sir.

Q. All right. Now, at the first time that you saw Mr. Bridges was there anyone else there?

A. No, he was by himself at that time.

Q. He was alone?

A. At this time that I am speaking of that I first saw him there.

Q. Did you say something to him?

A. No.

Q. Did he talk to you?

A. No, he didn't talk to me.

Q. No words at all?

A. No words at all.

Q. All right. Where did he go?

A. Hanoff's office.

Q. He went into Hanoff's office?

A. Yes, sir. That's where he came from. I didn't see him go in. I saw him coming out.

Q. You saw him coming out?

A. That is right.

Q. Where did he go when he came out?

A. I saw him leave the building. [1757]

(Testimony of Richard A. St. Clair.)

Q. You saw him leave the building?

A. I saw him leave the building.

Q. Downstairs? A. Downstairs.

Q. Were the doors of that building open?

A. Open to the public.

Q. Anybody could walk in and out?

A. Anybody could walk in and out.

Q. Was there a sign on the outside of the building?

A. Yes. There was a sign there, but I don't believe there was any—no, there was no letters on it at that time.

Q. What was on the sign?

A. It was a sign on there that was there when they bought the building.

Q. I mean, at the time that you saw Harry Bridges there in September of 1935—that's the time I want to talk about—did they have a sign in front of the building then?

A. Wait just a moment! Well, I'll tell you. I can't say that they had a sign up there at that particular date because they have had several signs on the front and I have aided in putting them up.

Q. What kind of signs did you aid in putting up there?

A. Well, the signs—one sign was in 1935. I believe they had some kind of a union sign up there during the election campaign. [1758]

Q. Do you remember anything at all about that sign? Did it say what? "Communist Party" or something like that?

(Testimony of Richard A. St. Clair.)

A. No. No "Communist Party" on that sign at the time.

Q. Was there any sign on the building showing it was the Communist Party headquarters?

A. At a later date there was a sign put up on that building showing that it was the Communist Party headquarters and a Party member by the name of Fossey, he is supposed to be one of the charter members of the Communist Party, and he does much sign painting for the Communist Party even while he is on relief, and he was engaged to paint that sign. But he stated that he was too heavy for climbing up that scaffold there to paint that sign, and another Party member painted the sign.

Q. Was that right after the Communist Party went into those headquarters?

A. Oh, no. I guess the Communist Party had been in those headquarters almost a year before that sign was painted.

Q. Were the doors to the building open?

A. The doors to the building were open all hours of the day after beginning at 9:00 o'clock, when it was open to the public. But before that it was not open to the public.

Q. Was there any effort made, Mr. St. Clair, to hide the fact that this was the Communist Party headquarters?

A. No. There was no attempt made to hide the fact. They advertised that. [1759]

Q. They had what?

(Testimony of Richard A. St. Clair.)

A. They advertised that, yes.

Q. All right. That's the first time, September, 1935, that you saw Bridges? A. Yes.

Q. When is the next time?

A. Well, I can't give you exactly.

Q. Not exact. Your best judgment.

A. It was in the spring of 1936 when he was there again.

Q. What month?

A. I will say sometime in March. I will say it was sometime in March.

Q. Where did you see him?

A. I saw him coming down the stairway that particular time, because I had just come up from doing some work in the basement auditorium and I was coming up the steps and Harry Bridges was coming down.

Q. Did you see whose office he came out of?

A. No. I don't know whose office he came out of at that time.

Q. Who was he with?

A. He was by himself.

Q. Did you talk to him? A. No.

Q. Did he talk to you? A. No, sir. [1760]

Q. What did he do?

A. I don't know what he done. He went out of the building.

Q. That was the second time?

A. That was the second time.

Q. When was the next time that you saw him?

A. The next time I saw Harry Bridges there

(Testimony of Richard A. St. Clair.)

was in company with Henry Schmidt and John Schomacker.

Q. When was that?

A. Well, that was sometime in May, the early part of May, I believe, or the middle of May.

Q. Of what year? A. 1936.

Q. Let me go back for just a minute. The first time you saw Bridges, you recognized his face?

A. Oh, sure.

Q. You knew who he was?

A. I knew who he was.

Q. His picture has been in the papers lots, hasn't it?

A. The first time I ever saw Harry Bridges was sometime during the 1934 strike when he was supposed to make his appearance down there to make a report to the longshoremen, but he was late in reporting there and during that absence, why, Dave Fleck got up on the stand down there and began to [1761] speak to the strikers, asking for support from the ILD and financial support and support of lawyers for defending the workers who may be arrested, and that was the first time I ever saw Harry Bridges' face, when he later arrived there then to make an announcement to the longshoremen that they had made no headway there at the proceedings there before the shipowners, and they were just going back and forth.

Q. All right. Now, you say you saw him the third time now. What is the date of that again?

A. The third time is the time in May when he

(Testimony of Richard A. St. Clair.)

was accompanied with Henry Schmidt and John Schomacker.

Q. Where did you see him?

A. I saw him on the top floor, the third floor of the Communist headquarters.

Q. In what part of the third floor?

A. The top floor.

Q. Well, I know, but was it in the office or corridor?

A. No, it was no office at all. It was a place that we had there to rent out to any groups associated with the Communist Party. If they wanted to have any affairs there or any meetings or anything of that kind, why, we would rent those rooms to them. This room that he was in at that time adjoined right on to my kitchen. Now, a section of that room has been taken and closed for a kitchen where I did my cooking.

Q. It was a sort of assembly room? [1762]

A. It was the same as a reception room.

Q. A reception room?

A. Yes. It would be rented for that purpose, and many times the Young Communists would hold meetings there.

Q. Were the doors closed?

A. The doors were closed at that time.

Q. What did you do?

A. I opened the doors because I was making my rounds of the building to see that everything was all right.

Q. Tell us what you did.

(Testimony of Richard A. St. Clair.)

A. I started to walk in there and I observed Harry Bridges, Henry Schmidt and John Scho-macker and William Schneidermann, Walter Lambert and Lawrence Ross and Elmer Hanoff all sitting there at the table. So I went out the door.

[1763]

Q. Any others there?

A. There was nobody else upstairs.

Q. Were the doors locked?

A. No. If they were I possessed the keys to unlock them.

Q. Did you unlock any doors? A. No.

Q. How many doors were there to that room?

A. Well, I will tell you. Let me have a piece of paper, please. I will give you a demonstration on that so there won't be a mistake.

(Witness making sketch on piece of paper.)

Q. Are you ready—how many doors were there?

A. All right.

Q. How many doors?

A. Well, there is a large sliding door that takes up 12 foot, and I don't know whether you would call that one or six doors. There were, I would say, about six sections to that door. —It slides back and forth. We will call that one piece because it is in one section, but there are about six sections to that door.

Q. That is one big door?

A. Yes. Here is a door, a large double door here. (Indicating on sketch).

Q. That is another large double door. [1764]

(Testimony of Richard A. St. Clair.)

A. Yes. That is a large door. That is where Bridges entered this room (indicating on sketch.) Right here in this corner was a table. Harry Bridges was sitting here. Next to him was Henry Schmidt. Over here was John Schomacker. And sitting at this table was Elmer Hanoff, Schneiderman, Walter Lambert was here, and Lawrence Ross was here.

Q. That is the exact positions?

A. That is the exact positions they were sitting in. You have got it right; yes.

Mr. Del Guercio: Are you going to offer that sketch in evidence?

Mr. Gladstein: We will get to that later.

A. (Continuing) Here is a small door here that leads to the fire escape. That was bolted.

By Mr. Gladstein:

Q. Did you talk to them? A. No.

Q. Did they talk to you?

A. No, no; nothing was said at all.

Q. You took a look at them and you left?

A. That is right.

Q. Now, will you tell me again where they were sitting so we can mark this—you mark it the way you want.

A. All right. This was a round table, now mind you, [1765] that they were sitting at; a round table. It was in this corner right here.

Q. Who was sitting nearest to the corner?

A. Nearest to the corner was John Schomacker and Lawrence Ross.

(Testimony of Richard A. St. Clair.)

Q. You are sure of that?

A. I am sure of it; positive.

Q. Put them in there.

A. Lawrence Ross right here.

Q. Let's mark that. A. All right.

Mr. Del Guercio: He is marking it.

Mr. Gladstein: It doesn't mean anything unless a man is put there. Do you want to come over and watch this?

Mr. Del Guercio: Yes.

Mr. Gladstein: He is putting a mark on it, but nobody knows what the mark means, "Lawrence Ross."

By Mr. Gladstein:

Q. Where was Ross sitting?

A. Ross was sitting at this table.

Mr. Del Guercio: Put on "R" there.

By Mr. Gladstein:

Q. Is that right?

A. That is right. Right here is where John Schomackér was sitting. [1766]

Q. Which one?

A. Sitting right here on the right.

Q. Here? A. Yes, sir.

Q. Put an "S" there.

A. All right. Here sat Henry Schmidt.

Q. Henry Schmidt? A. Yes, sir.

Q. Put "Sch" there.

A. Yes. Right here was Harry Bridges.

Q. You are sure of that?

(Testimony of Richard A. St. Clair.)

A. I am sure of it; yes, sir.

Q. He was sitting right there?

A. Sitting right here; at this place right here.

Q. Who was he next to?

A. Wait a minute—this was a straight bench that all three of these boys were sitting on. It was up against the wall. It was a round table with a straight bench of about 7 feet long, maybe 8 feet long.

Q. They were all sitting on the bench?

A. Ross was sitting on a short bench at this end. Walter Lambert, Schneiderman and Hanoff were sitting in chairs.

Q. How many benches were they sitting on?

A. Two benches.

Q. Who was sitting on the one bench? [1767]

A. Lawrence Ross.

Q. All by himself? A. Yes.

Q. And all the others were sitting on the other bench?

A. Not all of the others. Harry Bridges, Henry Schmidt and John Schomacker were sitting on the same bench.

Q. Wait a minute. Listen to me:

A. I am listening.

Q. You say Lawrence Ross was sitting on a bench? A. To himself; yes.

Q. All by himself on that bench? A. Yes.

Q. All right. Then you say that Bridges, Schmidt and Schomacker were sitting on another bench? A. Yes, sir.

(Testimony of Richard A. St. Clair.)

Q. Where were the others sitting?

A. The others were sitting on chairs at the side. Elmer Hanoff was sitting next to Harry Bridges. Isn't that right, Harry?

Presiding Inspector: Just answer the questions:

The Witness: I am speaking the truth here; these are facts.

By Mr. Gladstein:

Q. "H" stands for Hanoff, is that right?

A. Right; right here next to Harry Bridges. Right [1768] here sat Schneiderman.

Q. Schneiderman—we will put "Schm" for him.

A. Right. Here is Walter Lambert.

Q. We will put "L" for Walter Lambert. Put Bridges in there?

A. He is sitting right up here.

Q. Draw a line there and put "B" there.

A. Yes. I will put my glasses on.

Q. Is that right?

A. That is correct: Harry Bridges right here, Schmidt there, Schomacker there, Lawrence Ross here, Walter Lambert here, Schneiderman here, Hanoff here.

Q. Is that exactly the way they were sitting?

A. That is the truth.

Q. Did you take a good look at Bridges?

A. Did I take a look at him? I recognized him because I knew him.

Q. Did you take a good look at him?

A. I didn't take a good look; no.

Q. You recognized him?

(Testimony of Richard A. St. Clair.)

A. I certainly recognized him; that is correct.

Q. Did you notice anything unusual about him?

A. Well, yes, I did. I recognized something unusual about his appearance there.

Q. What was it? [1769]

A. Because of the fact that he has often made denials to the public and to labor as a whole, that he was a Communist and accusing them of dragging out the red herring.

Q. This struck you as unusual?

A. Yes, sir. After they left the building and the meeting, I complained to Elmer Hanoff about Bridges appearing there at the Party headquarters.

Q. At that time you complained to Elmer Hanoff?

A. At that particular time I complained to him; yes.

Q. What did you say to Elmer Hanoff?

A. I said that I objected, and didn't like to have Harry Bridges coming around there to the Party headquarters.

He said, "Why?"

I said, "Because Harry Bridges has too often denied that he is a member of the Party." And I said, "If Bridges is seen coming in and out of here, and that becomes known to the public, there may be a raid here on the place because there are only two of us guards here to protect this property." It was a big building to be protected.

(Testimony of Richard A. St. Clair.)

Elmer Hanoff says, "Bridges is all right; Bridges is all right. He is one of us."

I said to Hanoff, I said, "What do you mean, that Bridges is a Party member?"

He said, "Yes. Keep your mouth shut; keep your mouth shut; say nothing to no one about it."

[1770]

Then I said "Hell, no." I says, "We will be glad to have Harry Bridges as a member of the Party."

Q. Is that what you said?

A. That is what I said at that time; yes.

Q. Now, did you see Bridges leave the building that day?

A. Yes, sir, I saw Harry Bridges leave the building that day.

Q. Where were you when you saw him?

A. I was sitting in a chair down at the head of the stairway on the second floor for the purpose of keeping Party members, or anyone else, from going upstairs and observing Bridges' presence in the building.

Q. In other words, who told you to go down there and guard the door, anybody?

A. Nobody; nobody. I used my head.

Q. You used your own head? A. Yes, sir.

Q. You didn't want anybody to see Bridges in that building? A. No.

Q. Is that right? A. That is right.

Q. How long did you sit there guarding the door?

A. I was there every bit of two hours. I had

(Testimony of Richard A. St. Clair.)

been [1771] sitting down on the steps right there. They had some kind of a pad down on the stairs. It felt cool to me so I went to Catherine McKee's office and got a chair and got out there in front of the stairway and sat on that chair and waited until after the meeting was over. I was there two hours or two hours and a half.

Q. What floor was that?

A. The second floor that I was sitting on; just in front of Catherine McKee's office.

Q. What time of day was it?

A. That was in the afternoon; it was about 2:30 or 3:00 o'clock when Harry Bridges and them came down.

Q. When they came down? A. Yes.

Q. How long had they been upstairs?

A. For two hours, or two hours and a half, as I estimated it. I had begun to get tired occupying the position there, but I decided that I would stay and stick it out.

Q. All right. A. It was my duty.

Q. Yes. When they started coming down did you see them?

A. Oh, yes. I was there at the head of the stairway. That is what I have been telling you.

Q. Tell us what you said? [1772]

A. After the meeting was over Elmer Hanoff was the first down.

Q. You are sure he was the first one down?

A. I know he was because he stopped and pointed me out to the rest of the boys there.

(Testimony of Richard A. St. Clair.)

Q. What did he say?

A. I don't know what he said.

Q. You saw him point you out?

A. Yes; to them.

Q. To the rest of them?

A. To the rest of those. Behind Elmer Hanoff was Harry Bridges, Henry Schmidt, John Schomacker, Schneiderman, Lawrence Ross, Walter Lambert and——

Q. (Interposing): You remember he pointed at you?

A. Yes. I happened to look up because I moved my chair out of the way to give them the right of way to come down. I was looking up and saw Hanoff point me out to them. What he said I don't know.

Q. Then what happened?

A. Then Hanoff goes to his office, and Henry Schmidt and Joan Schomacker—I mean, Harry Bridges and Schneiderman, goes into his office, and Henry Schmidt and John Schomacker goes into Elmer Hanoff's office. The first one to come out from those two offices was Harry Bridges who came out of Schneiderman's office and he left the building. Then a moment [1773] later Henry Schmidt comes out, and about the same time Schomacker comes out. They left singly, but where they went to or in which direction I don't know.

Q. How long were Bridges, Schomacker and Schmidt in these private offices, do you remember?

(Testimony of Richard A. St. Clair.)

A. Oh, about two minutes; maybe three minutes.

Q. And then who was the first one to come down the stairs? A. Harry Bridges.

Q. He came down all by himself?

A. Out of Schneiderman's office, and went downstairs by himself.

Q. Did he say anything to you? A. No.

Q. Did you say anything to him?

A. No; I had no reason to.

Q. You didn't tell him that he shouldn't be coming in this building? A. No.

Q. You told that to Hanoff?

A. Yes; that is correct.

Q. How soon afterward did you tell that to Hanoff?

A. Right away—just as soon as he was out of the building—I told Hanoff right on the threshold of the door, the entrance to Catherine McKee's office.

[1774]

Q. You went up to talk to him?

A. You bet I did.

Q. When was the next time you saw Harry Bridges?

A. I saw Harry Bridges again when he came up there one night when we were having a public affair in the auditorium. This was about ten o'clock at night. I was on duty there at the main entrance of that auditorium when Harry Bridges came in. I realized that he was walking into a crowd of people so I stopped him and asked who he wanted, if he wanted to see somebody.

(Testimony of Richard A. St. Clair.)

He said, "Yes; I want to see Walter Lambert."

I told him to wait at the doorway and I would go get Walter Lambert. I went through the crowd and found Walter Lambert and told him Bridges wanted to see him.

Walter Lambert left right away and I remained in the dining room.

Finally, Walter Lambert came back to me and says, "Let Bridges upstairs in the office."

So I went back to where Harry Bridges was at the doorway at the main entrance, and I took a key and unlocked a door there and let Harry Bridges in and told him to go up to the office.

Q. What door did you unlock?

A. I unlocked the side door from the main building down into the auditorium. [1775]

Q. The front doors were open?

A. The front doors to the auditorium were open.

Q. Were people going in and out?

A. Yes, sir.

Q. Bridges came up to those doors?

A. Yes; and started to walk in where the crowd was, but I stopped him.

Q. That is when you told him he should not go in there, is that right?

A. I didn't tell him he shouldn't go in.

Q. You asked whether he wanted to see somebody?

A. Correct.

Q. That is the fourth time you saw him?

A. Yes; about the fourth time.

Q. How long was he with Lambert that time?

(Testimony of Richard A. St. Clair.)

A. Well, now, just a moment. I can't say how long he was with Lambert. But about eleven o'clock that night I went upstairs to make my rounds, while the crowd was downstairs, and when I got back on the main floor I observed the doors were opened, not bolted, and the stairway bars were down and the doors were wide open. I thought that was funny that Lambert would do that and not advise me that he had to go out the front doors.

Q. Who went out the front doors?

A. Lambert and Bridges. [1776]

Q. Somebody told you that?

A. Somebody told me that—I know it.

Q. You saw it?

A. I didn't see it, but I know that was the only way they could get out because I locked it.

Q. They walked out together?

A. Yes. Just a moment. While I am on that point let me say this: From the outside of that building, there at the main entrance, nobody can gain access to that building without smashing the doors down. But from the inside you can readily gain access to the street entrance without having to break it down; just uncouple and lift the bars out. That is what they did to get out.

I didn't see Walter Lambert then again for about two weeks. He would come to and go from work, and would leave the front part of the building without coming downstairs, and advising me what he had done. I imagine there must have been some rush about that, that they had to leave quick.

(Testimony of Richard A. St. Clair.)

The following day I did read in the paper where they had some labor trouble on the San Pedro waterfront. At that time Walter Lambert was gone for about two weeks.

Q. When was that? A. That was in 1936.

Q. What part of 1936?

A. I believe it was right around in April. I believe. [1777]

Q. April of 1936?

A. I believe it was.

Q. All right. When was the fifth time you saw Mr. Bridges?

A. I couldn't say anything about the fifth time because I did not keep an actual count of the number of times I have seen Bridges there. But I will say that I have seen Harry Bridges there four or five different times.

Q. Do you remember any other time, except those you have told us about here this morning?

A. That is correct.

Q. Do you remember any others?

A. No, I don't remember any others.

Q. You don't remember—

A. (Interposing): If I did I would make it known it right here.

Q. But you don't remember right now of any others? A. No.

Mr. Gladstein: I suppose we ought to offer this sketch in evidence. We don't have any objection to it.

The Witness: You want to use that again?

(Testimony of Richard A. St. Clair.)

Mr. Gladstein: Do you want to make a change in it?

The Witness: No. If you are going to use it I want to put my initials on it. I distrust you.

Presiding Inspector: Put your initial on it.

[1778]

Mr. Gladstein: We will offer it in evidence.

Presiding Inspector: Mark it as Alien's Exhibit next in order.

(The sketch referred to was received in evidence and marked Alien's Exhibit No. 6.)

Presiding Inspector: We will recess until 2:00 P.M.

(Whereupon, at 12:35 P.M. a recess was taken until 2:00 P.M. of the same day.)

[1779]

After Recess—2:00 O'clock P.M.

Mr. Gladstein: Are you ready, your Honor?

Presiding Inspector: Yes.

RICHARD A. ST. CLAIR

called as a witness on behalf of the Government, having been previously duly sworn, testified further as follows:

Cross Examination
(Resumed)

By Mr. Gladstein:

Q. Mr. St. Clair—

(Testimony of Richard A. St. Clair.)

A. (Interposing): Sir?

Q. Can you hear me now? A. Yes, sir. . .

Q. You remember the day that you walked into this room and you saw Mr. Bridges, and these other men? A. Yes.

Q. Do you remember that day?

A. I remember all the details in that room; yes.

Q. From what room did you come into it?

A. I came up the stairs there and the first thing I did was to go into that room and I looked around and saw Harry Bridges—

Can you folks back there hear me?

Q. As long as I can hear you and the reporter here that is all that is necessary.

Mr. Del Guercio: I would like to hear you too.

[1780]

Mr. Gladstein: Speak loud so everybody can hear you.

By Mr. Gladstein:

Q. You say you were coming upstairs?

A. I was coming upstairs.

Q. All right.

A. I was coming upstairs to inspect the building to see if everything was all right.

Q. What time of the day was that?

A. That was in the afternoon right around about, oh, I would say one o'clock.

Q. And you say that was in May, May of 1936?

A. 1936; that is correct.

Q. Do you remember what part of May that was,

(Testimony of Richard A. St. Clair.)

the tail end of May, or the beginning of May, or the middle of May—do you remember that?

A. Well, I would say it was right around about the middle of May; I am pretty sure it was because about two or three weeks later after that a high-ranking California State official called at the Communist Party headquarters and I thought there was something in the air.

Q. So you would fix it, your best judgment is about the middle of May, 1936?

A. That is correct.

Q. All right. Now, you came up the stairs here and you were going to inspect, is that right? [1781]

A. Henry Schomacker and

Q. (Interposing): No, no. You were going to make some inspection?

A. I was on my rounds making an inspection in the building.

Q. What time was that, now?

A. Right around one o'clock.

Q. In the afternoon?

A. In the afternoon.

Q. And was the building open that day?

A. The building was open to the public that day. That is correct.

Q. All right. And did you go into this room?

A. I entered that room.

Q. What door did you use?

A. I used that first door as you get to the head of the stairway going into that room occupied by Bridges.

(Testimony of Richard A. St. Clair.)

Q. How would you describe that door? Which of the three doors? You remember you said there were three doors. There was a great big one sliding panel. That was one, is that correct?

A. I stated there was a large door consisting of six two by eight panels.

Q. Is that the door?

A. That is a series of doors there.

Q. That is a series of doors? [1782]

A. Yes, sir; panels.

Q. Is that the one you used?

A. No, sir. That one was closed. I used the first door, the nearest to the steps after you got to the top of the landing, and that would be right in front of the stairway.

Q. All right. How do you describe that door? You see, you have mentioned several doors. How would you describe that?

A. At the time that I entered that door, that was a double door unless it has been changed since.

Q. At that time that was a double door?

A. It was a double door.

Q. All right. Now tell us what you did when you went in the room?

A. I opened that door. The doors were closed at that time and I opened the doors and started to go in there, and I just got inside of the door when I noticed something to my left. I looked over there and I recognized Harry Bridges, Henry Schmidt and John Schiomacker, Elmer Hanoff, William Schneiderman, Walter Lambert and Law-

(Testimony of Richard A. St. Clair.)

rence Ross sitting at the table. They all had paper out there before them and pencils in their hands. I knew that wasn't necessary for me to carry on my inspection any further, so I went back downstairs and—

Q. (Interposing): Wait just a minute!

Mr. Del Guercio: Let the witness finish.

Mr. Gladstein: I simply want to know what he did while [1783] he was in the room.

By Mr. Gladstein:

Q. You say you went back downstairs. You meant you left the room?

A. I left the room and retreated back down the stairway the same way I came.

Q. By what door did you leave the room? The same door? A. The same door.

Q. In other words, you opened the door and you looked in and you saw these people and you walked out again?

A. I turned around and walked out. That is correct.

Q. Did I say it correct?

A. I say it is correct.

Q. You say you saw Bridges there?

A. Absolutely. I wasn't mistaken. I'd known him as if he was a member of my family. I have seen his face so many times.

Q. He didn't have a hat on? A. What?

Q. He didn't have a hat on?

A. I wouldn't say whether he had a hat on or

(Testimony of Richard A. St. Clair.)

had a hat off. I know Elmer Hanoff never had no hat on. I know Schneiderman had no hat on, but I didn't study Bridges and Schmidt to know whether they had their hats on.

Q. Did you see if Bridges had working clothes on? [1684]

A. No, I haven't seen Bridges in working clothes since he became the boss of the waterfront.

Q. You haven't seen him in working clothes?

A. Except on parade days when they were parading up Market Street.

Q. Did you notice him that time?

A. I never noticed him closely.

Q. Did you notice him at all?

A. No. He never had working clothes on there especially that day he was there, because I remember it now. When he came back out of Schneiderman's office when he was coming down the stairway, that is clear to me now.

Q. You remember seeing him then?

A. I saw him then, but he didn't have any working clothes on.

Q. What did he have on?

A. He was dressed up. It might have been a brown suit on. I think he had at one time.

Q. You think it was a brown suit?

A. I believe it was a brown suit at that time. I believe.

Q. Did he have a hat?

A. I didn't pay any attention about that, whether he had a hat on or not now.

(Testimony of Richard A. St. Clair.)

Q. Did you notice anything else about him?

[1785]

A. Not at that particular time.

Q. Did you notice anything else about him when you were in the room?

A. I noticed they were busy engaged there.

Q. No, about Mr. Bridges. Did you notice anything else about Mr. Bridges?

A. Never noticed anything else about him, no.

Q. Did you see Schomacker leave that day?

A. I saw Schomacker leave that day, too.

Q. How was he dressed?

A. Well, he was dressed pretty rough, in his work clothes.

Q. You are sure he was in work clothes?

A. Oh, yes. I am sure of that. He had work clothes on that day.

Q. Did he have a hat?

A. Well, now, I don't know whether he had a hat on or not. Now, I don't know.

Q. You are not sure about that?

A. I wouldn't say that. You are trying to make a picture out of it, or something like that, but I am telling the truth before this Court of what I observed. Whether he had a hat on or not, I don't know.

Presiding Inspector: If you don't remember any of the details, just say so. [1786]

The Witness: All right.

(Testimony of Richard A. St. Clair.)

By Mr. Gladstein:

Q. Mr. St. Clair, did you see Mr. Schmidt leave that day?

A. I saw Mr. Schmidt leave that day, too.

Q. How was he dressed?

A. He was dressed—I don't think he was dressed up with his suit on. I don't think he was. He never had a coat on; I am sure of that.

Q. You are sure he didn't have a coat on?

A. I am sure Henry Schmidt didn't have a coat on.

Q. In other words, he was just wearing a shirt?

A. That is right.

Q. Do you recall the color of the shirt?

A. No.

Q. You don't remember that? A. No.

Q. Well, now, the first time you saw Bridges at 121 Haight Street, do you recall whether he had work clothes on at that time?

A. I wouldn't say whether he had working clothes on at that time or not. I don't recall about that first time, just how he was dressed at that time. But I know Harry Bridges, and I did not think it was absolutely necessary to go to work and give that man the once over, because the Party don't approve of that. [1787]

Q. Don't approve of it?

A. They don't approve of them doing that, giving anybody a searching look, unless you happen to be a stranger there at the Party headquarters, and

(Testimony of Richard A. St. Clair.)

then you observe them, and inquire what they want, and what their business is there.

Q. Did you ever see Harry Bridges at 37 Grove Street? A. No.

Q. Never did?

A. No. I saw one other longshoreman there, a leader.

Q. I am asking about Mr. Bridges.

Mr. Del Guercio: Just a minute. What was the answer?

Presiding Inspector: He said he saw another longshoreman there, a leader.

By Mr. Gladstein:

Q. You didn't see Mr. Bridges there?

A. Not at 37 Grove Street.

Presiding Inspector: I think that has been answered twice now.

By Mr. Gladstein:

Q. Now, you mentioned another janitor who was working there today.

Mr. Del Guercio: He didn't.

A. There was another man working there.

Mr. Del Guercio: Not a janitor. He mentioned a guard.

The Witness: That is correct. [1788]

By Mr. Gladstein:

Q. Did he do janitor service?

A. No, he did other work around there. I did the janitor service.

Q. What is the other man's name?

(Testimony of Richard A. St. Clair.)

A. Gus Wilkie.

Q. How do you spell that?

A. Well, I don't know—W-i-l-e-k-i-e, I believe it is, or W-i-l-e-k-e—I don't know.

Q. Did the two of you work there about the same time?

A. Yes; both worked there at the same time.

Q. You began there at the same time?

A. Began at the same time.

Q. Who left first, you or him?

A. I was—who left first?

Q. Who left first? A. I left first.

Q. When did you leave?

A. I left there about the early part of December, I believe.

Q. What year?

A. 1935; and returned again some time in January, about the latter part of January.

Q. The next month?

A. December—January. [1789]

Q. You were away for a month or two?

A. I was away for four or five weeks when they insisted that I return.

Q. When you came back, how long did you stay there after that?

A. I stayed there until the latter part of June.

Q. What year? A. 1936.

Q. Then you left?

A. I left; went to the WPA.

Q. You did not go back to work at 121 Haight Street after that? A. Not after that I never.

(Testimony of Richard A. St. Clair.)

Q. And was Wilkie working at 121 Haight Street when you left that place for good?

A. The first time?

Q. For good?

A. No, no; he was not working there at that time.

Q. You mean he left his employment there before you did? A. He was let off.

Q. Before you left?

A. Before I went to work the second time there.

Q. Did he ever work at 121 Haight Street while you were working there the second time? [1790]

A. No.

Q. Now, but he began to work there in 1935 about the same time you did? A. Same time.

Q. Did you ever talk to him about these visits of Bridges there? A. No.

Q. Never did?

A. No. I told him, I said, "Did you see Harry Bridges here this afternoon?" "No,"—he didn't see him there that afternoon.

Q. Well, when did you tell him that?

A. The same day Harry Bridges was there.

Q. You say he was there a number of times, which one?

A. This special time that Harry Bridges and Henry Schmidt and John Schiomacker were there.

Q. You remember that?

A. Oh, yes, I remember that. That was when I complained about him coming there.

(Testimony of Richard A. St. Clair.)

Q. You remember telling Wilkie about that?

A. Yes. I told Wilkie at that time, I asked him if he saw Harry Bridges there, and Schmidt and Schomacker. He said he didn't see them.

Q. Did you speak to Wilkie before that time about the other visits that Bridges had made? [1791]

A. No.

Q. Did you speak to Wilkie later on about the later visits that Bridges made?

A. No, I never spoke to him about that. How I come to speak to him at that time was I made it plain to him that I went to Elmer Hanoff and complained about Harry Bridges coming there.

Q. You told Wilkie you had this conversation with Hanoff? A. That is correct.

Q. Who was Hanoff at that time?

A. Hanoff was one of the leading executives of the Communist Party for District 13, comprised of California, Arizona and Nevada.

Q. And who was Lambert?

A. Lambert, he was Pacific Coast Communist Party Pacific Coast State Labor Director for this district.

Q. And who was Schneiderman?

A. Schneiderman was a ranking official of the Communist Party for District 13.

Q. And who was Ross?

A. Ross, he was San Francisco County organizer for the Communist Party.

Q. And those are the people that you mentioned that were in that room that day? [1792]

(Testimony of Richard A. St. Clair.)

A. That is right. They were leading executives of the Communist Party for District 13.

Q. Now, you say that you joined the Communist Party, when was it?

A. In 1934; the late part of March.

Q. And you remained a member until when?

A. What?

Q. Until what date?

A. Until a few days after the general election of 1934.

Q. That is in the fall, the late fall?

A. That is right. I resigned and sent my membership book in through the mails and had marked on the back of the book "resigned". I hope you are able to produce that here and back me up in my statement. It was in my own handwriting. It was on the book that I resigned.

Q. You told them you didn't want to stay in the Communist Party any longer?

A. I didn't tell them that. I liked the Communist Party at that time.

Q. But you resigned?

A. I resigned; yes.

Q. How long did you stay resigned?

A. I stayed resigned until about September of 1935 when I re-joined again.

Q. Did you join again?

A. Yes; by request. Elmer Hanoff and Johnny Voicht. [1793] I kept putting it off because I didn't want to go through a series of distributing leaflets, running around the city picking up or taking sub-

(Testimony of Richard A. St. Clair.)

scriptions to the Western Worker, going from house to house, door to door, distributing leaflets, and such as that, backing up the labor movement, going around to program meetings put on by the Communist Party throughout the State, selling tickets, and such as that.

Q. What part of September, 1935, did you join again, do you remember?

A. Yes. I was on guard duty at the Communist Party headquarters at the time I joined the Party the second time. Elmer Hanoff said, "Hell, I thought you was a member of the Communist Party."

I said, "No. I thought you knew all about it. I explained it to you down on Market Street when I met you."

Q. What part of the month of September, 1935, did you join again, do you remember?

A. Let me see. This might have been some time in August, because my Party book was handed to me by John Morgan, who was District organizer for the Mission District.

Q. When was it handed to you?

A. It was handed to me there at the Party headquarters in the hallway.

Q. When?

A. October of 1936. I think that is right. Wait a [1794] minute,—just a moment and I will get it right—1935 is correct.

Q. October of 1935?

A. Yes.

(Testimony of Richard A. St. Clair.)

Q. That was when you became a Party member again? A. Yes.

Q. How long did you remain a member after that?

A. Until about the 20th day of December, 1936, when I turned my book in. The Party was holding meetings at the Workers' Alliance Hall where they held their meetings at that time. They had a special meeting going on there on Thursday night and I turned my book in there.

Q. Did you resign again then?

A. I left the Party again, resigned, yes; but remained a sympathizer of the Party.

Q. Did you join the Communist Party again after that date? A. No.

Q. How many times have you been arrested in your life?

A. Well, I have been—here in California?

Q. Anywhere?

A. Anywhere—let me see. I might overlook one or two, but there is nothing wrong about it. I have been arrested for drunkenness.

Q. How many times were you arrested for drunkenness?

A. About three times I was arrested for drunkenness. [1795]

Q. Three? A. Three.

Q. All right. What else were you arrested for?

A. For my labor activities here in San Francisco.

Q. What else?

(Testimony of Richard A. St. Clair.)

A. And arrested up in Lower Lake, California.

Q. Where?

A. Lower Lake, California; up there where the children's camp is. Harry Bridges has something to do with it, and the Communist Party.

Q. When was that? A. 1937.

Q. What were you arrested for?

A. Do you want me to go into that now?

Q. Well,——

Presiding Inspector: (Interposing) Yes, go ahead.

By Mr. Gladstein:

Q. What was the charge against you?

A. Disturbing the peace.

Q. Is that what you were found guilty of?

A. That is what I was found guilty of.

Q. Disturbing the peace? A. Yes.

Q. Do you remember the city in which the trial took place? [1796]

A. Lower Lake, California.

Q. Is that the name of the city?

A. "City"? It is a little town, a little hamlet.

Q. You came up before a judge of some kind, didn't you?

A. Lakeport County. That was before Lakeport County. That is the County seat.

Q. So your trial was in the County seat, was it?

A. That is correct.

Q. And that would be in the City of Lakeport?

A. That's right.

(Testimony of Richard A. St. Clair.)

Q. And that was sometime in 1937?

A. I believe my trial or hearing was held, in, I believe,—I guess it was in January. They had the hearing there, I believe, Lakeport and it was before the Justice of the Peace. My trial was held there at Lower Lake, California, before the Justice of the Peace; not in Lakeport County, but that is where I served my sentence; Lakeport County.

Q. What was the town where the Justice of the Peace tried you, do you remember?

A. Lower Lake.

Q. All right. And how far away is that from Lakeport? A. Right there in the city.

Q. Have you ever been arrested for anything else?

A. I have been arrested here in San Francisco for carrying out Sam Darcy's instructions. [1797]

Q. Well, you mentioned that a little while ago.

A. Well, you asked me any time and I thought you wanted to go through that again.

Q. I want to know what else you have been arrested for, if you ever have.

A. I have been arrested here during the 1934 Longshoremen's Strike, too.

Q. What for?

A. For carrying on agitation, demonstrating on behalf of the longshoremen.

Q. Have you ever been arrested for anything else?

A. No; not that I can recall, to be honest with you.

(Testimony of Richard A. St. Clair.)

Q. What is the first time you were ever arrested?

A. Back about 1912 or '15; about 1915 or '16, I guess.

Q. Where was that?

A. Kansas City, Kansas.

Q. What were you arrested for?

A. Drunks.

Q. How many times there?

A. Once. Once I was arrested there. Yes, once.

Q. All right. What is the next time you were arrested?

A. By God! come to think of it right now, Los Angeles. I had overlooked that.

Q. When was that?

A. And it was an illegal arrest at that time.

[1798]

Q. When was it?

A. I believe in 1929, I believe.

Q. Well then,—

A. (Interposing) 1927 or 1929.

Q. You were never arrested between the time that you left Kansas City—let me ask you this: Did you leave Kansas City in 1915?

A. I left Kansas City in 1921; come here to California.

Q. Now, you were arrested only once in Kansas City, is that right?

A. That is to the best of my honest recollection.

Q. And then you left Kansas City in 1921 and came to California?

A. Yes.

(Testimony of Richard A. St. Clair.)

Q. And the very next time that you were arrested was in Los Angeles?

A. Yes, yes. That's correct.

Q. And that was in what year?

A. And that was in 1927 or 1929. And that was an illegal arrest.

Q. You had no arrests between, say, 1912 or 1915 clear up to 1927 or 1929; is that right?

A. Excepting—no other arrests excepting what I had mentioned to you, to my honest recollection. [1799]

Q. Between this period from nineteen—

Presiding Inspector: (Interposing) I don't believe he hears that.

Mr. Gladstein: What?

Presiding Inspector: I don't believe he hears that.

Mr. Gladstein: All right.

By Mr. Gladstein:

Q. Between 1915 and 1927 were you ever arrested?

A. 1915 and 1927, I was arrested at Kansas City, as I have already explained it to you, for drunkenness there. I was taken off the street car by an old friend of mine who is the Police Captain. They just took me up for safekeeping and no record made of it.

Q. After that, is it your testimony that you had never again been arrested until you were arrested in Los Angeles in about '27 or '29, is that right?

(Testimony of Richard A. St. Clair.)

A. No, I don't think I was ever arrested between that time, no.

Q. What were you arrested for in Los Angeles? What was the charge against you?

A. The charge against me was drunkenness and possessing liquor.

Q. I didn't hear that.

A. The charge was drunkenness and possessing liquor.

Q. Possessing liquor? A. Yes. [1800]

Q. Were you convicted?

A. Yes: I was convicted without having any chance to present any evidence because the Police had already drank the evidence up for themselves at that time.

Q. In what court were you?

A. I don't recall what court I was taken to. I can't recall. You can check up there in Los Angeles and you can get the record.

Q. Did you have a trial, Mr. St. Clair?

A. As I stated to you, I was convicted without having any chance to present my side of the evidence to show that I was taken from another county and hauled across into Los Angeles County and arrested.

Q. Were you given a sentence?

A. They gave me thirty days, and after serving part of my time I paid the balance of \$15.00 and was released.

Q. All right. That was when? 1927 or somewhere around there?

(Testimony of Richard A. St. Clair.)

A. 1927 or 1929; somewhere around those years.

Q. When was the next time that you were arrested?

A. I believe the next time that I was arrested is 1934, helping Harry Bridges on the waterfront.

Q. What were you doing at that time to help him?

A. Well, I was a member of the Communist Party at that time and the Workers ex-Service Men's League was an [1801] organized—it was founded and organized by the Communist Party, and its activities were being directed by Walter Lambert at that time from 37 Grove Street.

Q. What month in 1934 was that that you got arrested?

A. I believe it was along in July 17, I believe.

Q. That was the very next time?

A. That was the very next time, was the time that they had this series of raids throughout the city here against the Communist Party.

Q. Have you ever been convicted of a felony?

A. No, no. Never before been convicted of a felony. No, sir.

Q. Are you a citizen?

A. What?

A. Indeed I am; very much so; born here in the State of Kansas. So were my parents born in this country.

Q. Where were you born in Kansas?

A. Born in Kansas City, Kansas.

Q. When? A. 1890.

Q. Do you remember the time when there was

(Testimony of Richard A. St. Clair.)

a public affair at 121 Haight Street and Mr. Bridges came up to the door? Do you remember that?

A. You bet I remember that time. [1802]

Q. You had a conversation with him at that time, did you?

A. Only to the extent of stopping Bridges there at that door, realizing that he was coming into that door where there was a mass crowd of people and that he might be recognized.

Presiding Inspector: You have been all over that. He isn't asking you that. He asked you if you remember it, not what it was.

By Mr. Gladstein:

Q. Did you have any instructions to keep Bridges out?

A. No, none at all whatsoever.

Q. Did you have instructions to leave him in?

A. Never had no instructions to leave him in either.

Q. Didn't have any instructions of any kind?

A. No, not regards to Harry Bridges.

Q. You just thought you would sort of warn him to be careful, is that the idea?

A. That was the idea at that time.

Q. Now, was he in working clothes, or was he dressed up at that time?

A. Dressed up.

Q. He was dressed up?

A. He was dressed up that night.

Q. Do you remember how he was dressed?

(Testimony of Richard A. St. Clair.)

A. No, I don't remember. I didn't pay any attention [1803] to that.

Q. You didn't pay any attention.

A. I knew his face the minute I saw him and that was that.

Q. Now, you say that you talked to Wilkie once about this meeting.

A. About that meeting, at that special time, yes.

Q. Did you ever talk to anybody else about it?

A. No; no sir.

Q. You never did? A. No, sir.

Q. You never talked to anybody else about any of the times Bridges came to 121 Haight Street?

A. Not at that time.

Q. Did you never mention it to anybody?

A. I have mentioned it before here since I made up my mind that I would do what I could to expose the Communist Party and its connections with the labor movement. I have told many people there.

Q. When was that? When was the first time?

A. I couldn't say when the first time was. The first time I began to let loose against the Party was sometime in 1938 when I received information from a former unit organizer of the Communist Party at Stockton that the Communist Party [1804] through Walter Lambert and another fellow by the name of Jeff—he used to work for the Yellow Taxicabs, organizing the taxicab drivers—that Walter Lambert and this Jeff went to the Fish Workers Reducing Union, which was controlled and operated by the CIO, to Harry Bridges and they tried to get

(Testimony of Richard A. St. Clair.)

this here Secretary and Treasurer of this repective union to turn over \$4000 of the union's funds to the Communist Party. This Secretary and Treasurer happened to become a member of the Communist Party himself. He refused to turn those funds over to the Communist Party and they weren't satisfied. They kicked him out of the Party and a meeting was held and had him ousted from the union.

Q. Who was that man?

A. That was sometime in 1938. And I received that information at Stockton. I came to the City of San Francisco later on; sometime in October, I believe it was.

Q. Of 1938?

A. In October of 19—

Q. Of 1938?

A. '38, yes. That is correct. And I checked up with a member of that organization by the name of Walter Meegan and explained it to him. He said "Yes, that's so. That is so. I was there."

Q. Now, excuse me. Who was the man who refused to turn over this money? [1805]

A. I don't know this man's name, the Secretary-Treasurer of that union. I was told at that time what his name was, and I was asked if I knew him, but I did not know this fellow at that time.

Q. Have you ever met him? A. What?

Q. Have you ever met him?

A. I don't know whether I ever have met him or not. I don't know.

Q. All right.

A. I may have met him and not known him.

(Testimony of Richard A. St. Clair.)

Q. When you found out about that you say that you decide then to expose Harry Bridges?

A. You damn right.

Q. All right. What did you do?

A. I let it be known just what the CIO was and who its leadership was; that Harry Bridges was a member of the Communist Party, and also told who founded and organized the Committee for Industrial Organization in the State of California.

Q. Whom did you tell that to?

A. Anybody and everybody that was willing to listen to me.

Q. Well, name anybody, whom you told those things to.

A. Well, for one, I will tell you: That there was a [1806] meeting up there at the City Hall.

Presiding Inspector: No. He just asked you for some names.

A. (Continuing) There was a meeting—

Presiding Inspector: (Interposing) We don't want you to answer a lot of things except what Mr. Gladstein asks.

A. (Continuing) Walter Lapham is one of them.

By Mr. Gladstein:

Q. Who? A. Walter Lapham.

Q. Who is Walter Lapham?

A. He is the President and owner of the Steamship Line here.

Q. What steamship line do you mean?

A. American-Hawaiian Steamship Company.

(Testimony of Richard A. St. Clair.)

Q. You mean American-Hawaiian?

A. That's right.

Q. You went up and told him about everything you knew?

A. Up there at the City Hall when he was having that labor hearing up there at that time. I met him in the hallway and I told him. He said "Is that so? Well I suspect that to be true, but there is nothing we can do about it."

Q. When was that, Mr. St. Clair?

A. Well, I believe that was sometime in 1937. I believe, that they had that labor hearing up there at the City Hall. [1807]

Q. All right. Who else did you tell about what you say you know concerning Harry Bridges and his Communist connections?

A. Well, there is many of them that I have told it to that I do not even know their names.

Q. Well, did you go to any official of any kind? Police Department?

A. I reported to the Mayor of the City of San Francisco, too.

Q. Mayor Rossi?

A. Yes. And I believe—and I have reasons to believe that Harry Bridges has used the name of "H. P. Rossi" himself, because in the offices—

Presiding Inspector: (Interposing) You haven't been asked this.

The Witness: What?

Presiding Inspector: You haven't been asked that.

(Testimony of Richard A. St. Clair.)

The Witness: All right.

Presiding Inspector: Just confine yourself to the questions.

The Witness: I am willing to explain everything I know, if he is willing.

Presiding Inspector: Just answer the questions. If you tell the whole truth and answer the questions, we will get [1808] along all right.

The Witness: All right.

By Mr. Gladstein:

Q. You say you went and told Mayor Rossi of what you knew about Bridges? A. Yes, sir.

Q. When was that?

A. That was about the same—wait a minute, now! That was in 1937, but what month I can't state. Mayor Rossi will produce the letter I made arranging for the interview.

Q. You say you wrote a letter?

A. I wrote a letter; yes, sir.

Q. To Mayor Rossi? A. Yes, sir.

Q. What kind of a letter was it?

A. A letter informing him that I possessed information that Harry Bridges was connected with the Communist Party.

Q. All right. Did you have a meeting with Mayor Rossi?

A. I didn't get a chance to have a meeting with Mayor Rossi. Arrangements were made for me to meet his Secretary.

Q. Did you meet his Secretary?

A. I met his Secretary.

(Testimony of Richard A. St. Clair.)

Q. What happened?

A. Well, I went to work and explained to him the [1809] information that I possessed and knowledge of Harry Bridges' connection with the Communist Party.

Q. Who else was present besides the Secretary and yourself?

A. Just the Secretary and myself.

Mr. Del Guercio: Your Honor, I object to this line of questioning. Is that all necessary?

Mr. Gladstein: It is quite necessary.

Mr. Del Guercio: I assume that that was the information he wanted.

Presiding Inspector: I think he may continue.

By Mr. Gladstein:

Q. Did you make a statement to him at that time about what you knew?

A. I just talked to him like I am talking to you right now.

Q. Did he make any notes?

A. Never made any notes, no.

Q. Did he ask you to sign a statement of any kind?

A. No.

Q. What was the man's name?

A. I can't recall his name, his Secretary at that time.

Q. This was in 1937?

A. It was right around 1937. [1810]

Q. Can you remember what part of that year it was?

(Testimony of Richard A. St. Clair.)

A. I can't remember the date or the year.

Q. Not the exact date. Can you give me the season, whether it was the fall, spring or summer?

Presiding Inspector: I didn't know you had seasons here.

A. I think in the letter I wrote to him, that is enough. You get the date from him. He will produce it.

By Mr. Gladstein:

Q. Did anything else happen after you talked to the Mayor's Secretary about what you knew about Harry Bridges?

A. Nothing else happened excepting that there was a watch put on me by Alex Noral, State Organizer of the Workers Alliance. He occupied a car right across from the alley of the hotel where I was staying, and he had been there two or three times and his automobile bore an Oregon license. I was wise then and knew that I was under watch for them and I left San Francisco and went to Los Angeles on my own hook.

Q. Now, did you tell the Mayor's Secretary everything that you knew about Bridges?

A. Yes, sir.

Q. Everything?

A. You bet, I did, and I'm telling it to the public yet if I get a chance.

Q. All right. Did you tell anybody else everything you knew about Bridges? [1811]

A. Oh, I told many people, too numerous to mention.

(Testimony of Richard A. St. Clair.)

Q. Try to remember one more.

A. I couldn't for the life of me remember the names of them because I spoke to many of them, workers even, people I met on the street I would talk to, political elections that were coming and about Communists, and about high-ranking State officers who called at the Communist Party headquarters.

Q. I mean about Harry Bridges.

A. I told too many to mention. I reported it to the District Attorney at Los Angeles. I reported it to the FBI. I reported it to the Dies Committee.

Q. When did you report to the Police Department or to the District Attorney in Los Angeles?

A. I reported it there to the District Attorney sometime in 1940. I can't remember the date.

Q. What part of the year?

A. Well, I would believe it to be in the late part of 1941. I can't say exactly the date. I can't. But they have got the date of that down there, if these men want to check that up. The reason why I went — do you want me to tell anything about why I went?

Presiding Inspector: Never mind. You have been asked for the date and you have given it as well as you can.

By Mr. Gladstein: [11812]

Q. When you went to the District Attorney's office whom did you see?

A. I met Mr. Simpson and Mr. Wohl; Mr. Simpson and Mr. Wohl.

(Testimony of Richard A. St. Clair.)

Q. And what happened?

A. I gave them my knowledge and the information that I possessed in regards to Harry Bridges, the Communist Party and about a murder that happened to be committed on the San Pedro waterfront.

Q. Was there a stenographer present?

A. What?

Q. Did they take notes of it?

A. Yes, they took notes of it; yes, sir.

Q. Did they prepare a statement?

A. I don't know whether they compared the statements or not. I don't know.

Q. I say, Did they prepare a statement?

A. Oh, certainly they did. Yes, they did.

Q. Did you sign it?

A. I don't believe I did.

Q. Did they ask you whether it was true, the statement?

A. Well, no. They did not ask me if the statements were true, no.

Q. Did they typewrite a statement up? [1813]

A. No. He just marked it down in lead pencil in long hand.

Q. Did anything else happen there?

A. Nothing else happened there then, no.

Q. You just told these gentlemen what you knew?

A. Yes, sir.

Q. And they didn't do anything else about that?

A. They did nothing about it, to my knowledge.

Q. Did you give them your name and address?

(Testimony of Richard A. St. Clair.)

A. I did give them my name and address.

Q. Did they ever get in touch with you again?

A. Yes. They did get in touch with me.

Q. When did they get in touch with you?

A. It was about two weeks after I wrote to them. They got in touch with me. I can't give you the exact date of that either.

Q. You say two weeks after you wrote to them?

A. Yes, sir.

Q. Did you write to the District Attorney's office?

A. Yes, sir.

Q. And what happened after you wrote to the District Attorney's office?

A. Two investigators came out to interview me and see what information I possessed in regard to the murder being committed there on the San Pedro waterfront. [1814]

Q. When was that murder?

A. That murder was committed sometime in 1935; 1935.

Q. Now, do you know who those two investigators were that came out to see you?

A. I don't know anything else about that.

Q. Did you talk to them at that time in your home?

A. Not at my home. Nobody talked to nobody at my home at that time.

Q. You say two investigators came out to see you at your home.

A. They talked to me.

Q. Where did they talk to you?

(Testimony of Richard A. St. Clair.)

A. At the place where I was, the SRA camp at Chino, California.

Q. Were you living or working there?

A. I was living there.

Q. All right. So they talked to you where you were living? A. Yes.

Q. Did you tell them everything you knew about Harry Bridges?

A. I told them every bit of information I possessed about Harry Bridges.

Q. What happened that time?

A. They made arrangements for me to come into the [1815] Hall of Justice at the District Attorney's office the following day, and they came after me.

Q. And they took you down there?

A. They took me down there.

Q. And that is the time you were in the District Attorney's office and you spoke to these gentlemen whose names you mentioned? A. Yes.

Q. And notes were made of what you told them?

A. Yes, sir.

Q. And did they type the statement up? Did they ask you to sign the statement?

A. They asked me to sign nothing.

Q. Did they ask you to make an affidavit?

A. No, sir.

Q. Did they ever get in touch with you again?

A. No.

Q. Never did? A. No.

Q. All right. Now, you say that you also gave your information to the FBI. Is that right?

(Testimony of Richard A. St. Clair.)

A. What?

Q. Did you say you gave your information concerning Bridges to the FBI? Do you know what the "FBI" is?

A. Federal Bureau—what information I gave them in re- [1816] gards to Harry Bridges, they just wrote it down on the paper. That was all.

Q. No, no. Listen! You say you have just finished telling me about the time that you gave information to the District Attorney's office in Los Angeles. Do you remember that?

A. Yes.

Q. And you say that was sometime in 1940?

A. It was.

Q. But you can't remember what month in 1940?

A. No. I can't remember what month.

Q. You don't know whether—

A. (Interposing). Pardon me.

Q. Was it the middle of the year or the first of the year or the end of the year?

A. Wait a minute, now! I believe it was sometime in August, I believe it was.

Q. August of 1940?

A. I believe it was August or September, yes.

Q. All right. Now, you mentioned before, a little while ago, that you also wrote letters to other departments of the Government to tell them what you knew about Harry Bridges. Is that right?

A. Not only about Harry Bridges, but about the Communist Party.

(Testimony of Richard A. St. Clair.)

Q. Yes. But you wrote letters to other departments [1817] of the Government or the Police or various branches of the Government to tell them that you knew something about Bridges and the Communists, is that right?

A. Well, no. I actually perhaps didn't mention Harry Bridges' name, but mentioned the Communists.

Q. To whom did you write letters?

A. To the Dies Committee.

Q. When did you first write to the Dies Committee?

A. December 3, 1938.

Q. And what did you tell them in your letter?

A. I told them I was a former member of the Communists Party and held a position of trust at Communist headquarters and I was in the possession of quite a bit of evidence against the Party.

Q. Was there any response or reply to that letter?

A. Any what?

Q. Did any one come to see you about that letter after you sent it?

A. No.

Q. Did anybody ever write you a letter?

A. No. I never did receive a reply in answer to that letter.

Q. Did you keep a copy of that letter?

A. No. I don't do that. No, sir.

Q. In this letter to the Dies Committee you said that you had been a former trusted person in the Communist Party? [1818]

A. A guard at Communist Party headquarters; yes, sir.

(Testimony of Richard A. St. Clair.)

Q. And you said you had a lot of information?

A. That I possessed information in regard to the Communist Party and the labor movement.

Q. And the labor movement? A. Yes, sir.

Q. Did you mention Harry Bridges?

A. I don't know whether I did mention Harry Bridges at that time or not. I don't know.

Q. You are not sure about that?

A. No, I am not sure.

Q. It is possible that you did, but you don't remember; is that it? A. That might be so.

Q. All right. And you say they never answered that letter?

Mr. Del Guercio: He has already answered that, your Honor.

By Mr. Gladstein:

Q. Nobody came to see you about it?

A. Nobody came to see me about it.

Q. Now, what other branches of the government did you write a letter to? Did you write to the Immigration Department? [1819]

A. That was the only branch of the Government that I wrote to and made contact with, was the Dies Committee. Yes, that is correct.

Q. You did not write to the Immigration Department?

A. No, I did not write to the Immigration Department?

Q. Did you go up to see the Immigration Department? A. I went up to see them.

(Testimony of Richard A. St. Clair.)

Q. When did you go up to see them?

A. September; on or about September 7, 1940, I believe it was.

Q. Did you go up to see them when the last hearing was being held against Mr. Bridges? Do you remember when that was? A couple of years ago?

A. Yes. Oh, I remember that hearing. Yes.

Q. Did you go up to see anybody and tell them about your information?

A. I never went up to anybody at that time to tell them about the information, but in some manner—I don't know how it come up—the Immigration Department contacted me and asked me what information I had in regards to Harry Bridges, whether he was a member of the Communist Party or not.

Q. Was that while that trial was going on in 1939?

A. Oh, that was before the trial; just shortly before the trial. But I refused to be willing to give any evidence at that hearing. I had no faith in that hearing. That was the [1820] very words I stated to them.

Q. Whom did you speak with?

A. Let's see. I believe it was an Immigration Officer; some Immigration Officer.

Q. What is his name?

A. From Portland, I believe.

Q. Norene?

A. Norene, that's right. Yes.

Q. Where did you see him?

(Testimony of Richard A. St. Clair.)

A. I saw him at Santa Ana.

Q. Santa Ana? A. Santa Ana.

Q. Where did he see you? A. Post Office.

Q. Were you working there?

A. Yes, I was working there.

Q. At the Post Office?

A. Not the Post Office; no sir.

Q. Did he ask you to come to the Post Office building?

A. He asked me to come to the Post Office.

Q. When he asked you to come did he do it by telephone or by letter?

A. No. The man come after me in the afternoon; about, oh, I guess along about two or half past two o'clock, and took me down to Santa Ana to the Post Office. [1821]

Q. Do you know who that man was?

A. Yes, I do.

Q. Who was he?

A. I think it was Mr. Graham.

Q. And Mr. Graham, when he met you, did he tell you what he wanted? A. Yes.

Q. What did he say?

A. He said Mr. Norene, the Immigration Officer, wanted to see me at the Santa Ana Post Office.

Q. Did he tell you what Mr. Norene wanted to see you about?

A. No, but after I knew it was the Immigration Officer I had an idea that it was in regards to Harry Bridges' hearing at that time.

(Testimony of Richard A. St. Clair.)

Q. All right. You went to Mr. Graham to see Mr. Norene in the Post Office Building?

A. That's right.

Q. And you had a meeting with him at that time? A. Yes, yes.

Q. And was it in an office?

A. It was in the Immigration office at the Post Office there. It was in charge of Mr. Davis.

Q. You mean there was a Mr. Davis in the room?

A. There was a Mr. Davis in the room, yes.

[1822]

Q. And you were in the room?

A. I was in the room.

Q. And Mr. Norene was in the room?

A. And Mr. Norene was in the room.

Q. Was Mr. Graham in the room?

A. I believe he was.

Q. Was anybody else in the room?

A. McFarley was his name. McFarley, I believe, is the inspector in the San Francisco District.

Q. Farrelly?

A. Farrelly. I believe that is his name.

Q. Something like that?

A. Yes, something like that.

Q. Anybody else?

A. Yes. It was another Immigration Inspector there, I don't know what—I can supply you with the name of the old man. (Referring to memorandum) There they are. [1823]

Mr. Gladstein: May the record show that the witness has just handed me a card on which two

(Testimony of Richard A. St. Clair.)

names are written; one of them purporting to be A. J.—

The Witness: (Interposing) Mr. Norene's card.

Mr. Gladstein: (Continuing) —A. J. Phelan and P. U. Farrelly.

Mr. Del Guercio: P. J. Phelan.

Mr. Gladstein: I wasn't sure of that initial.

Both names are written in pencil on the back of a card—

Mr. Del Guercio: (Interposing) Printed.

Mr. Gladstein: (Continuing) —printed in handwriting on the back of the card which purports to be a printed card of Roy J. Norene.

On the face of the card, underneath the name of "Roy J. Norene" are the words "Divisional"—

I want anybody to check with me. I don't care who. I will read it into the record anyway.

Presiding Inspector: Why don't you have it marked?

Mr. Gladstein: The witness may want it back. I don't think it is necessary.

The Witness: It was a card given to me. That is their own handwriting.

Mr. Gladstein: On this card, under the name "Roy J. [1824] Norene," are the following printed words: "Divisional Director, Immigration and Naturalization Service, 333 U. S. Court House, Portland, Oregon."

In handwriting, printed in pencil, are these words: "Sant. Anna."

Underneath that the words "Federal Building."

(Testimony of Richard A. St. Clair.)

I return this card to you.

The Witness: All right.

By Mr. Gladstein:

Q. Was there anybody else there in that office?

A. Not to my knowledge.

Q. Was there a stenographer?

A. Who—no.

Q. You know what a stenographer is?

A. I know about them. Nobody else was in the office.

Q. How long were you in that office with them?

A. About 45 minutes.

Q. What happened?

A. Well, I gave them to my knowledge of Harry Bridges and his connection with the Communist Party. They said they expected to use me as a witness at the hearing, and I announced to them that I had no place in the hearing, no desire to testify.

Q. Did you tell that to Mr. Norene?

A. You tell the world I did.

Q. Mr. St. Clair, did you tell them everything that you [1825] knew about Harry Bridges and his connection with the Communist Party?

Mr. Del Guercio: That has been asked and answered.

A. I told them,—

Mr. Del Guercio: (Interposing) It is going over the same thing again.

Mr. Gladstein: This is another occasion.

(Testimony of Richard A. St. Clair.)

Presiding Inspector: I will allow it.

Mr. Del Guercio: It is the same occasion.

Presiding Inspector: It was a general question before.

A. (Continuing) I told them only what they asked me. I just answered the questions; that was all.

By Mr. Gladstein:

Q. Did they ask you to sign a statement?

A. No, sir.

Q. Did they make notes of what they asked you?

A. That is right; they did.

Q. And they made notes of what you answered?

A. Yes.

Q. Did they read this over to you afterwards?

A. No, sir.

Q. Did they ask you to make an affidavit?

A. No, sir.

Q. You said you were there 45 minutes?

A. I said 45 minutes. [1826]

Mr. Gladstein: That is what I thought I said.

Presiding Inspector: He doesn't hear well.

By Mr. Gladstein:

Q. Did they get in touch with you again after that? A. No.

Q. You gave them your name and address?

A. Yes, sir.

Q. They never asked you to testify?

A. No, sir. I had no desire to testify at that hearing.

(Testimony of Richard A. St. Clair.)

Q. Did they ask you to testify?

A. No, sir, because I made it known that I had no desire to testify at that hearing.

Q. Now, you mentioned that you told these men, you told Mr. Norene pretty plainly that you did not want to testify because you had no faith in the hearing?

Mr. Del Guercio: I object to the question.

Presiding Inspector: I will allow it.

Mr. Del Guercio: He didn't say "Very plainly."

Presiding Inspector: I will allow it. Go ahead.

Mr. Gladstein: Read the question, Mr. Reporter.

(The question referred to was read by the reporter as above recorded.)

By Mr. Gladstein:

Q. Did you hear the question when it was read?

A. I remember the question you asked.

Q. What is the answer? [1827]

A. I made no statement to them.

Q. Did you tell Mr. Norene that you had no faith in the hearing that was going to be held against Harry Bridges?

A. I told Mr. Norene that I had no faith in that coming hearing regarding Harry Bridges; that I believed it would be a whitewash.

Q. Did you tell him why you had no faith in that hearing?

A. No, I didn't tell him why. He didn't ask me.

Q. Did you tell him why you thought he was going to be whitewashed?

(Testimony of Richard A. St. Clair.)

A. No. He didn't ask for any details of that.

Q. Did you tell anybody else anything about that? A. Not at that time.

Q. Did Mr. Norene say anything to you when you said that? A. No.

Q. Did anybody else say anything? A. No.

Q. You mean you said, "I have no faith in the hearing and I think he is going to be whitewashed," and they didn't say anything to you?

Mr. Del Guercio: I object to that as being repetition.

Presiding Inspector: Yes, but I will allow it.

A. I said I had no faith in that hearing and that I [1828] had no desire to testify at the hearing, and that was that.

Presiding Inspector: I am giving wide latitude.

By Mr. Gladstein:

Q. Nobody said anything to you about that?

A. No. They stood there and stared—sat there and stared at me and looked at one another; that was all.

Presiding Inspector: Just as they are doing here?

The Witness: Yes.

By Mr. Gladstein:

Q. You say that you went up and talked to Mr. Lapham, the shipowner?

A. I did go up to his office.

Q. You went up to his office?

A. The second time—I recall that just now.

(Testimony of Richard A. St. Clair.)

I talked—there at the City Hall—and then I went up to his office the second time. The first time I went up to his office he had no time and wouldn't listen to nothing I had to say, wouldn't have anything to do with me.

Q. Did you tell him anything you knew about Mr. Bridges?

A. No. He didn't want to listen.

Presiding Inspector: Just answer the questions. Don't volunteer.

The Witness: Very well.

Presiding Inspector: We will never finish otherwise.

By Mr. Gladstein:

Q. Did you talk to any other shipowner? [1829]

A. No.

Q. Did you talk to Mr. Almond Roth?

A. I have never met him; don't know him.

Q. Did you try to tell any of the shipowners what you knew about Harry Bridges?

A. No. I might say—

Presiding Inspector: Just answer the question.

By Mr. Gladstein:

Q. You mentioned a Mr. Graham who came to see you? A. Yes, sir.

Q. Do you recall his first name?

A. No. I don't know the man by his first name.

Q. Do you know what his position was?

A. I do.

Q. What was it?

(Testimony of Richard A. St. Clair.)

A. I believe the District Organizer, or something like that, for the Associated Farmers.

Q. Where is he District Organizer for the Associated Farmers?

A. Their headquarters are in San Francisco, California, here.

Q. Where is he the District Organizer; what district? A. Orange County.

Q. Is he the man who came to you, came to see you to take you to Los Angeles? [1830]

A. Not to Los Angeles.

Q. To Santa Ana? A. Yes; Santa Ana.

Q. To the meeting with Mr. Norene?

A. That is right.

Q. Was there anybody with Mr. Graham when he came out there? A. No, sir.

Q. Did Mr. Graham tell you how he happened to find out that you knew something about Bridges?

A. No; he didn't tell me.

Presiding Inspector: That is pretty remote.

Mr. Gladstein: I would like to confer with my colleagues for a few moments. Would you object to having the afternoon recess now?

Presiding Inspector: No. We will take a very short recess.

(Whereupon a short recess was taken.)

Mr. Gladstein: Are you ready, your Honor?

Presiding Inspector: Go right ahead.

By Mr. Gladstein:

Q. Mr. St. Clair, do you remember a little while

(Testimony of Richard A. St. Clair.)

ago you were telling me about finding out about a man in the Fish Workers Union?

A. Yes. [1831]

Q. One of those fish unions?

A. Yes, sir.

Q. And you said something about some money?

A. Yes, sir.

Q. What was that about exactly?

A. Well, I was in the city of Stockton in 1938—do you want me to go into details?

Q. Just tell me in a general way what that was about.

Mr. Del Guercio: He already stated that. He is asking for repetition.

Presiding Inspector: I don't think he has quite stated it.

A. I received from a former Communist Party Organizer at Stockton information that Walter Lambert and another Party member by the name of Jeff went to the Secretary-Treasurer of the Fish Workers Reducing Union—

By Mr. Gladstein:

Q. (Interposing) Fish or Ship Reduction Workers Union—what is it?

A. No, no—Fish Workers—something they have to do with catching fish out on the seas and they bring the fish in to this ship and reduce it to fertilizer. I have forgotten the actual name of that organization.

Q. That is all right.

A. And the Secretary-Treasurer of this Union was a [1832] member of the Communist Party.

(Testimony of Richard A. St. Clair.)

Walter Lambert and Jeff went to this man and tried to get him to turn over \$4000 of the Union's funds over to the Communist Party. This Secretary-Treasurer refused to do it without a vote from the membership. Walter Lambert did not want the membership to know anything about it, expected him to turn \$4000 over to the Communist Party. He refused to do it, comply with the request. They went to work and dismissed this fellow, kicked him out of the Party. Not being satisfied with that he was later removed from his position as Secretary-Treasurer of the Union.

Q. Was this man's name Fred Allen?

A. I don't know what his name was; I couldn't remember it now.

Q. You can't remember it?

A. No, I couldn't remember. They did this—after all the effort that had been made to organize them, to consolidate them, and then to turn around and cut their throat in that way—that was going too far. So I came to San Francisco and met Walter Megan, a member of that Union, and I asked him, told him what information I received at Stockton.

Presiding Inspector: He hasn't asked you about that.

The Witness: He asked me to give details in general. I just tried to explain how I checked up on this. I wouldn't take one man's word for anything like that.

(Testimony of Richard A. St. Clair.)

By Mr. Gladstein: [1833]

Q. You say you did check up on this?

A. I took it up with Walter Megan.

Q. Did you check up with the Secretary-Treasurer of the Union?

A. No.

Q. You never saw him?

A. No; never saw him before to my knowledge. I may have, but did not know his position or connection with the party.

Q. Now, when did you first see any representatives of the Federal Bureau of Investigation concerning what you know about Bridges?

A. The 17th day of September, 1940, I believe it was.

Q. Where did that take place?

A. At the Federal Building, Los Angeles.

Q. How did you happen to go there?

A. How did I happen to go there?

Q. Yes.

A. A telephone call came out there where I was living at Chino, California, and left word for me to call up Operator, a certain number. I did not know anything about this, who it could be from. So one of the clerks in the office out there put the call in to that operator, and the operator gave that clerk the information, and the clerk told me where to go to at the Federal Building. That was when I first made connection.

Q. Did you go the day after you received the phone call? [1834]

(Testimony of Richard A. St. Clair.)

A. I believe I did go the day after; yes, the day after; I believe I did.

Q. What was the message that you got about the phone call?

A. The message about that was just to call, for me to call operator, a certain number.

Q. Did you make that call?

A. The call—I did not make the call but another man at the office put in the call for me to trace it to who it was.

Q. Did that man tell you what he found out after he traced the call?

A. He told me what room to go to at the Federal Building.

Q. And you did go? A. I went.

Q. All right. When you got there who was there?

A. I called there at the reception room, there at the information desk, and gave them my information. They contacted a man inside of the office, so he came to the room where, the reception room, where I was at and contacted me.

Q. When you say that you gave information, you mean you told them about Bridges?

Mr. Del Guercio: Can't we expedite this? Can't we place him in the office having him talking to the FBI men without going through all this? [1835]

Presiding Inspector: I don't think we can control this examination. I think he is within his rights. Go ahead.

(Testimony of Richard A. St. Clair.)

A. I gave him the information.

By Mr. Gladstein:

Q. Let me take you back to the time you walked in through the front door of the office. You say now that you gave somebody some information, is that right?

A. You are taking me back and bringing me in—I first went to the place and went to the reception room.

Q. Yes. What did you do there?

A. I went to a girl there sitting at the desk and I explained my mission to her.

Q. What did you say to her?

A. Well, I told her I was Richard A. St. Clair; that I was instructed to call there at the office.

Q. What else happened?

A. I saw Mr. Findlay and it was with Mr. Findlay that I had the interview.

Q. They sent you in to see Mr. Findlay?

A. Yes, sir.

Q. Was anybody else present besides Mr. Findlay and yourself?

A. A Mr. Smith.

Q. Anybody else? A. That is all. [1836]

Q. How long did that interview last?

A. That interview lasted from 11:00 o'clock in the morning to about 5:00 o'clock in the evening.

Q. Right straight through?

A. No; we stopped off for lunch.

Q. And what were you talking about in this interview?

(Testimony of Richard A. St. Clair.)

A. We were talking about the Communist Party, Harry Bridges' connections, and he asked me how I come to know about Harry Bridges being a Communist, who I got the information from, and so forth.

Q. Did they tell you how they happened to learn that you had all this information?

A. Never said anything to me about it. It wasn't necessary for me to ask them because I had told so many people and I supposed the FBI picked it up.

Presiding Inspector: Don't make a speech, in answer to these questions. When he asks you a question just answer the question and then stop.

The Witness: All right.

Presiding Inspector: We will get along a lot faster.

The Witness: All right, Judge.

By Mr. Gladstein:

Q. Did they take notes of what you said?

A. Yes, sir.

Q. Did they prepare a statement for you?

A. Yes, sir. [1837]

Q. Was it written out, or typewritten?

A. It was written down by hand and later typed.

Q. And after it was typed did they show it to you?

A. They showed it to me; yes, sir.

Q. Did you read it through? A. I read it.

Q. Did they ask you to sign it?

A. They asked me if I was willing to sign it; I signed it.

Q. Did they give you a copy?

(Testimony of Richard A. St. Clair.)

A. They never gave me no copy. It wasn't necessary.

Q. Did you ask for one? A. No, sir.

Q. And then you left? A. I left.

Q. Before you left did they tell you that they would get in touch with you again?

A. They didn't inform me they would get in touch with me. They asked me to keep them informed when I moved from my present place.

Q. Did they tell you that you were going to be a witness?

A. They did not tell me I was going to be a witness; no, sir.

Q. When was the next time that you had any contact with the FBI? [1838]

A. The FBI? You mean, when I had a contact with the FBI again?

Q. Yes.

A. That would be on 21st day of this month, I believe.

Mr. Del Guercio: Counsel is asking for it.

A. (Continuing) I believe it would be the 21st day, I believe, when I was asked to appear at the office.

By Mr. Gladstein:

Q. The 21st day of this month?

A. Yes, sir; when I was notified.

Q. How long ago was that?

A. The 21st day of this month.

Q. How long ago was it?

(Testimony of Richard A. St. Clair.)

Mr. Del Guercio: Is that necessary? The 21st day of this month—

Presiding Inspector: He may think that he has made a mistake in the month.

The Witness: Just a moment.

By Mr. Gladstein:

Q. How long ago was it?

A. How long ago that I received the notice?

Q. Yes.

A. I will give you that information.

Q. Can't you tell me how long ago it was? [1839]

Presiding Inspector: He told you once. He may have made a mistake. I think that is what you are assuming, isn't it?

Mr. Gladstein: I am not assuming.

Presiding Inspector: Then you shouldn't repeat the question.

A. (Referring to letter): April 18th.

By Mr. Gladstein:

Q. April 18th? A. Yes.

Q. Of this year? A. Yes; this year.

Q. You got a letter from them on that day?

A. I got that letter from them; yes, sir.

Q. What did—did they tell you to go or come some place?

A. Yes. I have the matter of record here. (Indicating letter.) Here is the subpoena right here.

(Whereupon the witness passed a letter to Mr. Gladstein.)

Mr. Gladstein: The witness has shown me a let-

(Testimony of Richard A. St. Clair.)

ter dated April 18, 1941, on the letterhead of the U. S. Department of Justice, Immigration and Naturalization Service, Los Angeles, California, and purporting to be signed by Harry B. Blee, Assistant Director, Los Angeles District, and addressed to Mr. Richard A. St. Clair, 13812 South Budlong Avenue, Gardena, California. [1840].

By Mr. Gladstein:

Q. You also received a subpoena besides that, didn't you? A. I received a subpoena; yes.

Q. When did you receive the subpoena?

A. The 18th.

Q. At the same time?

A. The same time; same day.

Q. Did you have the subpoena with you?

A. I did not have it with me until I received it.

Q. Do you have it now?

A. I have. There it is—you just read it.

Q. Is that the subpoena? A. That is it.

Q. The letter you showed me?

A. Yes, sir.

Q. Did you not receive a yellow or white paper with the word "Subpoena" on it?

A. You are referring to the one I showed first earlier in the trial—is that it?

Q. Did you have something else, show something else earlier?

A. I showed a paper showing my address on it.

Presiding Inspector: Do you know what a subpoena is?

(Testimony of Richard A. St. Clair.)

The Witness: I know; yes. That is the only one I ever received. [1841]

Presiding Inspector: That isn't a subpoena.

By Mr. Gladstein:

Q. Is that the only thing that you ever received from the FBI, the paper that you just showed me?

A. The subpoena; yes, sir.

Mr. Del Guercio: It wasn't received from the FBI, if your Honor please.

Presiding Inspector: I know. That wouldn't make any difference.

Mr. Gladstein: I am not trying to make the record any different.

Presiding Inspector: You can't change it.

By Mr. Gladstein:

Q. Is the letter you just showed me—and for the record—

Presiding Inspector: I don't know what the purpose of this is.

Mr. Gladstein: A question of recollection, your Honor.

Presiding Inspector: I know, but we have had a long examination on that.

Mr. Gladstein: I will try to make it short.

By Mr. Gladstein:

Q. Is that letter you just showed me, Mr. St. Clair, the only document you ever received from the Department of Immigration with respect to your coming here and testifying as a [1842] witness?

(Testimony of Richard A. St. Clair.)

A. Yes, sir; that is the only information I received and that was the first I knew. I was going to be called here.

Q. Is that the only document ever handed to you or mailed to you?

A. That is the only one.

Q. Didn't you receive a subpoena, a different paper, before you got this letter?

A. No, sir; no, sir. I never did.

Q. May I see that paper again?

A. (Producing letter.)

Mr. Gladstein: The witness has just handed me again the same letter to which I made reference earlier in the examination, and a part of this letter, the opening sentence, says:

"Dear Sir:

"You have heretofore been served with a subpoena directing your presence at San Francisco, California, on April 26, 1941 in connection with the Harry Bridges case."

Then later on:

"Mr. Albert Del Guercio, Examining Inspector who issued the subpoena above mentioned, has telephoned this office and advised that he wishes you to appear in San Francisco on the 22nd instant instead of the 26th instant."

"Kindly make arrangements to be in San Francisco, [1843] California, on April 22, 1941. You

(Testimony of Richard A. St. Clair.)
should appear at the address and at the hour indicated on the subpoena.

“Very truly yours,

WILLIAM A. CARMACHAEL,

“District Director, Los Angeles District.”

This is another letter. I have just received a different letter because the first letter shown to me was signed by a different person.

By Mr. Gladstein:

Q. The letter you are now looking at, Mr. St. Clair, is different from the one you showed me a little while ago, isn't it?

A. (Examining letter): Is it?

Here is the other one. (Producing letter.)

Mr. Del Guercio: Does counsel have both letters?

Presiding Inspector: He has now.

Mr. Del Guercio: Did he see it before?

Mr. Gladstein: No.

Presiding Inspector: They are identical except the signature.

The Witness: I had both of them in the same envelope.

By Mr. Gladstein:

Q. Are these two letters, the ones I am holding in my hands, the only ones, only documents that were ever served on you, given to you, or mailed to you in connection with your [1844] appearing in this case? A. Mailed to me.

(Testimony of Richard A. St. Clair.)

Q. Listen to me: You just gave me two letters. I have them in my hand. You said you received these letters in the mail, both of them?

A. Yes.

Q. Now, except for these two letters, did you ever receive any other letter, or document, or anything else—

A. (Interposing): No, no.

Q. (Continuing): Wait a minute—in connection with your appearing here as a witness?

A. No, sir; never did receive any paper or document of any kind except them two right there.

Mr. Gladstein: And the record will show neither of those letters is itself a subpoena.

Presiding Inspector: You can have them read into the record if you want to. It doesn't prove that he was served with a subpoena.

Mr. Gladstein: That is correct.

By Mr. Gladstein:

Q. Now, when you came to San Francisco, after getting these letters, did you have any conversations with anybody as to what you were going to testify to?

A. Yes, I did.

Q. Who? [1845] A. With Mr. Findlay.

Q. Anybody else? A. No.

Q. No one else at all? A. No; just him.

Q. He is the only one to whom you talked about what you were going to testify to here in court?

A. The only officer in connection with the Federal Bureau of Investigation that interviewed me

(Testimony of Richard A. St. Clair.)

in regard to the statement I have made before appearing at this hearing.

Q. Did any of the Attorneys for the Government talk with you as to what you were going to say?

A. No man, no one else, except Mr. Findlay.

Mr. Del Guercio: Ask him if I talked to him.

By Mr. Gladstein:

Q. Did Mr. Del Guercio talk to you?

A. He never asked me any questions whatsoever.

Mr. Del Guercio: Ask him if Mr. Myron talked to him.

Mr. Gladstein: Do you want to conduct the examination?

Presiding Inspector: Make your objections to me as the Presiding Inspector.

Mr. Gladstein: All right.

Presiding Inspector: Go ahead.

By Mr. Gladstein: [1846]

Q. You remember the last hearing against Harry Bridges, don't you?

A. I remember that last hearing; yes, sir.

Q. In connection with that hearing do you remember of going up to Mr. Bridges' office and telling him that you wanted to talk with him about testifying in his favor? . . . A. My God—

Presiding Inspector: "Yes" or "No"?

A. No.

By Mr. Gladstein:

Q. You never did?

A. Never did go to Harry Bridges' office.

(Testimony of Richard A. St. Clair.)

Q. You don't like Harry Bridges, do you?

A. No more. In the eyes of the world—no.

Q. Do you want to see him deported?

A. You tell it to the world I do. He deserves to be.

Mr. Del Guercio: I object to these questions.

Mr. Gladstein: This is on the matter of animus. I am entitled to go into that.

Presiding Inspector: I think so. He answered the question.

By Mr. Gladstein:

Q. Do you remember when you went to Mayor Rossi's office? A. I remember that; yes.

Q. Did you go up there to tell him Bridges was using [1847] his name?

A. No. I didn't tell him at that time Bridges was using his name. I didn't know whether Harry Bridges was using that name or not. But I saw ILWU stationery, with a letter on it, that laid on Catherine McKee's desk, that bore the signature of Harry, or H. B. Rossi. That was on ILWU stationery.

I said to Catherine McKee, "Is there a Rossi working in the offices of the ILWU, or on the waterfront?"

She said, "St. Clair, you have no business reading my mail, letters on the desk."

I said, "I am not reading the letter. I just observed the signature, 'H. B. Rossi.'" So she just laughed.

(Testimony of Richard A. St. Clair.)

Q. You mean there was a signature on a letter which had the International Longshoremen's and Warehousemen's Union printed on the top, is that right? A. That is correct.

Q. And on the bottom of the letter was signed H. B. Rossi? A. H. B. Rossi; yes, sir.

Q. Is that correct? A. Right.

Q. Did you tell that to anybody?

A. Yes, I did. I reported that to the FBI.

Q. Who else did you tell it to?

A. I believe I reported it to the District Attorney's [1848] Office in Los Angeles.

Q. Who else did you tell it to?

A. That is all that I know of.

Q. Did you ever tell Mayor Rossi about it?

A. No.

Q. Did you ever tell his Secretary to tell him about it? A. No.

Mr. Gladstein: In the question I am about to ask, your Honor, I do not mean any implication of any kind, but I am simply asking it as a question of fact.

Mr. Del Guercio: Why are you making excuses for it?

Mr. Gladstein: I am saying this in advance because I expect some objection or comment to be made to it.

Presiding Inspector: Don't answer the question until we know what it is.

(Testimony of Richard A. St. Clair.)

By Mr. Gladstein:

Q. Mr. St. Clair, have you ever been confined in any institution of any kind—"yes" or "no"?

The Witness: Shall I answer the question?

Presiding Inspector: Yes.

A. No.

By Mr. Gladstein:

Q. You say you are working for a man by the name of Kerr now?

A. I am working for Mr. Kerr. [1849]

Q. How do you spell it? A. K-e-r-r.

Q. What sort of business is that?

A. It is a business where he furnishes animals of all kinds, of all descriptions, to the M-G-M movies for making pictures.

Q. And where is that business located?

A. I will give you the exact address.

Mr. Del Guercio: I think he showed that letter to the reporter this morning and he got an address from it.

The Witness: I am willing to produce the letter and let the Court see it.

(Handing letter indicated to the Presiding Inspector.)

The Witness: I suppose he is trying to make something out of that.

Mr. Del Guercio: I ask that the letter be read in evidence on account of counsel's implication here.

Mr. Gladstein: I have made no implication.

(Testimony of Richard A. St. Clair.)

Mr. Del Guercio: You said an implication was involved.

Mr. Gladstein: The witness has just shown me a letter, the only material portion of which, in so far as my last question is concerned, appears to be the address of the place where he says he is employed. That address appears to be 13812 Budlong Street, Gardena, California.

Mr. Del Guercio: If your Honor please, counsel here [1850] made a statement to the Court that he was about to ask a question that might have some implication. I think he, in fairness to the witness and to the Court, should read this letter here.

Presiding Inspector: That doesn't seem to have any reference to being confined in any institution.

Mr. Del Guercio: It will probably show the character of this person as understood by his employer.

Presiding Inspector: We will come to that later. I won't accept it at the present.

By Mr. Gladstein:

Q. Is this the address, Mr. St. Clair, 13812 Budlong Street, Gardena, California, where you work?

A. That is right. [1851]

Mr. Gladstein: That is all, your Honor.

Presiding Inspector: Just a moment! Just to see that you understand that question which Mr. Gladstein asked you about, I suppose he meant to include not only the places where people are confined for punishment but places where people are

(Testimony of Richard A. St. Clair.)

confined for mental troubles or something of that kind.

The Witness: No.

Presiding Inspector: You have never been in any State Hospital?

The Witness: Never have been.

Presiding Inspector: Or anything of that kind?

The Witness: No.

Presiding Inspector: That is all. I wanted to be sure that he understood the question.

Mr. Del Guercio: Yes.

Redirect Examination

By Mr. Del Guercio:

Q. May I see that letter that you showed Mr. Gladstein there?

A. The letter? The subpoena letter or—

Q. (Interposing): No, where you are employed?

A. Where I am employed?

Q. Yes.

A. (Handing letter to Counsel) [1852]

Mr. Del Guercio: I have here a letter dated "Gardena, California, Fowls of Distinction" on the letterhead.

"To whom it may concern:

"Greetings:

"This is to certify that the bearer, Richard St. Clair, has been in my employ for some time. I have found him to be exceptionally trustworthy, an

(Testimony of Richard A. St. Clair.)

efficient workman, and an employee that I can fully recommend to anyone.

(Signed) "J. H. KERR."

That is all.

Presiding Inspector: That's all. You are excused.

The Witness: I am surprised it ended so soon.

(Witness excused.)

JOHN OLIVER THOMPSON

called as a witness on behalf of the Government,
being first duly sworn, testified as follows:

Direct Examination

By Mr. Del Guercio?

Q. What is your name?

A. John Oliver Thompson.

Q. Where do you live, Mr. Thompson?

A. 99 Bennett Avenue, Yonkers, New York.

Q. Are you employed at the present time?

A. Yes, sir.

Q. Where were you born, Mr. Thompson? [1853]

A. Portsmouth, Virginia.

Q. And of what country are you a citizen?

A. United States of America.

Q. Have you ever been out of the United States?

A. Yes, sir.

Q. How many times?

A. Oh, it would be hard to say, sir, as a sailor.

Q. In what capacity?

(Testimony of John Oliver Thompson.)

A. A sailor; a seaman in the Merchant service.

Q. Have you ever been a member of the Communist Party? A. Yes, sir.

Q. When did you first join the Communist Party?

A. Well, I joined the Young Communist League in 1929.

Q. Where? A. In Baltimore, Maryland.

Q. Do you know the month of the year?

A. I think it was around November, 1929.

Q. And how long did you remain a member of the Young Communist League?

A. Oh, till about 1932.

Q. And then what did you do?

A. Then I joined the Communist Party. I graduated into the Communist Party.

Q. Where? A. In New York City. [1854]

Q. Did anyone solicit your membership in either the Young Communist League or the Communist Party? A. I don't understand that.

Q. Did anyone ask you to join the Communist Party?

A. Well, you automatically graduate after a certain age in the Young Communist League. You automatically graduate into the Communist Party.

Q. And how long did you remain in the Communist Party? A. Until August, 1935.

Q. And while you were a member of the Communist Party where did you live?

A. I lived in Baltimore, for a while—I mean, in New York. I lived for a while at the Workers'

(Testimony of John Oliver Thompson.)

Cooperative House up at Alden Avenue in the Bronx, and then I lived on 342 East 13th Street.

Q. Did you go to any schools while you were a member of the Communist Party?

A. I went to the New York District School and to the Workers' School there, the National School.

Q. New York District School?

A. Yes, sir.

Q. What was that?

A. That was a school they had for training organizers for the Party.

Q. For what party?

A. For the Communist Party. [1855]

Q. And where was it conducted?

A. It was conducted at 35 East 12th Street.

Q. What is that address? Who occupies that address?

A. Well, the national office of the Communist Party, the Daily Worker office, the Morning Freiheit and various other offices.

Q. Is that a Communist conducted school?

A. Yes, sir.

Q. Who were the instructors?

A. The head instructor was Markoff, and we had J. Peters.

Q. Peters? A. J. Peters.

Q. J. Peters?

A. Yes, sir. Jerome Browder instructed us there, too, and Clarence Hathaway, Robert Minor.

Q. Did you attend this school daily?

(Testimony of John Oliver Thompson.)

A. I attended that school daily for a month.

Q. For a month? A. Yes.

Q. What is the name of the other school that you attended?

A. That was called the National School. The National Training School.

Q. And who conducted that school? [1856]

A. That was conducted by the same people.

Q. The same people. You mean Communists?

A. The same instructors, only it was for a longer period.

Q. To go back, first, to the District School you called it? A. Yes, sir.

Q. What instructions were you given there?

A. There we were given instructions on how to organize in the unions; carry out Party work in the unions; increasing the membership of the Party and seeing that the Party line was followed out.

Q. Can you speak a little louder?

A. That was to see how to—learn how to carry out the Party line in the unions.

Q. Any particular unions?

A. Well, I was active in the Marine Workers Industrial Union at that time.

Q. And were you given any instructions as to what you should carry out in the Marine Workers Industrial Union?

A. Well, we were to organize the seamen and get the seamen in the unions so we can have them into the Party later.

Q. To have them into what Party?

(Testimony of John Oliver Thompson.)

A. The Communist Party. [1857]

Q. Were you instructed to go out and recruit seamen for the Marine Workers Industrial Union?

A. Yes, for the——

Q. For the what?

A. For the Marine Workers Industrial Union.

Q. Well, do I understand you correctly that you were instructed to go out and get seamen to join the Marine Workers Industrial Union?

A. That's right.

Q. That was one of the instructions?

A. Yes.

Q. What else were you instructed to do?

A. Then we later on in the National School were taught underground work and how to sabotage on the ships in case of strife, revolution.

Q. Who gave those instructions?

A. Those were given by Peters.

Q. J. Peters? A. J. Peters.

Q. And was he a member of the Communist Party? A. Yes, sir.

Q. Now, what instructions did they give you regarding the sabotaging of ships?

A. How to put sand in the bearings, in the oil cups and to drain the glycerine out of the steering apparatus. [1858]

Q. Did you receive any other instructions?

A. Not in that line. That was instructions mostly to the fellows there who worked in the engine department, and I belonged to the deck department.

(Testimony of John Oliver Thompson.)

Q. How long did you attend that school, the second school? A. Three months.

Q. Did you attend it daily?

A. Yes, sir.

Q. Daily for three months? A. Yes, sir.

Q. How many times a week?

A. Oh, it was every day, the full day, five days a week, and then a half a day on Saturday.

Q. Were you employed during that period of time? A. No, sir.

Q. Were you being paid by the Communist Party?

A. My room and board was being paid by the Communist Party.

Q. While you were attending this school?

A. Yes.

Q. Or both schools? A. Yes.

Q. How many students were there in these schools?

A. Well, in the District School I would say there was about 60. [1859]

Q. 60?

A. 60 in the group I was in.

Q. And in the National School?

A. In the National School was a little larger.

Q. How many?

A. I would say about 150 or so.

Q. And both these schools were conducted in the Communist Party headquarters in New York City, is that right? A. Yes, sir.

Q. By the Communist Party? A. Yes, sir.

(Testimony of John Oliver Thompson.)

Presiding Inspector: Did he give the exact dates of the attendance at these schools?

Mr. Del Guercio: Yes. I thought he did.

Presiding Inspector: Perhaps he did.

By Mr. Del Guercio:

Q. When did you go to the District School?

A. That was started in, I believe it was around the third of January.

Q. What year? A. 1931.

Q. 1931. And you attended the District School for one month? A. One month.

Q. And when did you start going to the National [1860] School?

A. Well, I started a few weeks after the District School was over. I don't remember the exact dates.

Q. Did you have to go to the District School first before you could attend the National School?

A. That's right.

Q. And you attended the National School for how long? A. Three months.

Q. Did the instructors use text books?

A. Yes, sir.

Q. What text books were used?

A. Well,—

Q. (Interposing) Do you remember the names of any of them?

A. They had Lenin on "Organization".

Q. They had what?

A. Lenin on "Organization", Political Economy, and they had some books—they were mimeographed sheets. They had no name. They were, I think,

(Testimony of John Oliver Thompson.)

published by Peters—written by Peters himself, and those were on underground work.

Q. In the National School what books were used for instruction?

A. Those are the books that I am talking about.

Q. Oh, at the National School? A. Yes.

[1861]

Q. Did they use any text books for instruction on sabotage?

A. Yes, sir. They had regular mimeographed books.

Q. They had mimeographed books?

A. They had mimeographed sheets put together. They passed out those and collected them up every night.

Q. Now, in giving these instructions, concerning sabotage, putting sand in the machinery on ships, and so on, did the instructors say that was the doctrine of the Communist Party, the policy of the Communist Party?

Mr. Gladstein: If your Honor please, I suggest that the question in its present form is leading, and I suggest that Mr. Del Guercio simply ask the witness for his recollection of the document without putting the words in his mouth.

Presiding Inspector: Well, I don't know about the last part of the objection, but I think it is leading. See whether he doesn't recollect in general what the instruction was as to the practices recommended by the Communist Party with respect to sabotage.

(Testimony of John Oliver Thompson.)

By Mr. Del Guercio:

Q. This was a Communist conducted school, is that right? A. Yes, sir.

Q. And were all instructions that were given at that [1862] school Communist matters?

A. Yes, sir.

Q. Were the instructions on sabotage also a Communist matter? A. Yes, sir.

Q. Do you know of it was the accepted policy of the Communist Party at that time to advocate sabotage? A. Absolutely.

Q. And where did you learn that? In the School? A. In the National School.

Q. Did the instructor tell you when you were to do this sabotaging of ships, on what occasions and under what situations?

A. Well, that was in time of strife and in time of a crisis or war, especially if the war was against the Soviet Union.

Q. And did the instructor tell you for what purpose you were to do these things?

A. Well, they were to weaken the armed forces of the country. The Merchant Marine was an auxiliary of the Navy.

Q. Of what country?

A. Of our own country.

Q. Of the United States? A. Yes, sir.

Q. Were any instructions given regarding the over- [1833] throw of the Government of the United States by force and violence?

(Testimony of John Oliver Thompson.)

A. That is their accepted doctrine, was what we were taught. That was the only way we could do it.

Q. Were instructions in that connection given at this school in New York? A. Yes, sir.

Q. And what instructions were given in that connection regarding the use of force and violence and overthrow of the Government?

A. Well, we were instructed that we have to work very hard, establish nucleus in the Army and Navy, so when the precise moment comes we would be able to overthrow the Government.

Q. Did they instruct you how you were to overthrow it?

A. Well, supposed to be a revolution.

Q. What kind of a revolution?

A. Well, when they give the orders.

Q. Well, was it a revolution of words?

A. No; it was by force of arms, because they claim that the capitalists would never give in peacefully.

Q. Were you ever employed in the Communist Party headquarters in New York City?

A. Yes, sir. [1864]

Q. In what capacity?

A. Well, I worked there for 18 months as a night watchman, and then the rest of the time I worked as elevator operator on the night shift.

Q. When did you commence your employment as a night watchman? A. May, 1931.

Q. May, 1931. And who employed you?

(Testimony of John Oliver Thompson.)

A. I was given the job by Peters.

Q. J. Peters? A. He got me the job.

Q. And as night watchman what were your duties?

A. My duties was to go around to all the offices. I had keys to all offices. It was to go to all the offices and see that nobody hid in there to steal documents and to see that no one got into the building who weren't Communist Party members?

Q. Did you become familiar with all the offices in that building? A. Yes, sir.

Q. And when did you begin your duties as elevator operator? A. About November.

Q. Of what year?

A. November of 1932, I guess. [1865]

Q. And how long did you continue in that capacity? A. Until August, 1935.

Q. And who employed you as elevator operator?

A. Well, the official name was the "Workers Center."

Q. The Workers what?

A. The Workers Center. That's the organization that I was supposed to be working for, the Workers Center.

Q. And what kind of an organization was that?

A. They were supposed to be the ones who managed the building.

Q. Well, was it connected with the Communist Party?

A. Yes, sir. The Superintendent was a mem-

(Testimony of John Oliver Thompson.)

ber of the Communist Party. We all had to be members of the Communist Party to work there.

Q. Could you be employed in that building without being a member of the Communist Party?

A. No, sir.

Q. Were you assigned to any particular elevator?

A. The elevator on the 12th Street side of the building, on 35 East 12th Street.

Q. And by whom was that elevator used?

A. Well, it was used by mostly anybody, especially for the ninth floor. They only used one elevator for that, where the national offices were.

Q. What was on the ninth floor? The national offices of what? [1866]

A. The national offices of the Young Communist League and the national offices of the Communist Party.

Q. During any time that you were employed on that elevator did you see Harry Bridges?

A. Yes.

Q. Do you recognize Harry Bridges in this court room?

A. The man sitting right over there with the gray suit on (Indicating).

Q. When did you see him in that elevator in this Communist Party headquarters in New York?

A. I am not sure of the exact date, but I believe it was in the latter part of '34 or the first part of '35.

(Testimony of John Oliver Thompson.)

Q. Now, had you ever seen Harry Bridges before that time? A. No, sir.

Q. How did you know it was Harry Bridges?

A. Because it was my duty whenever there was a meeting, a Central Committee meeting, to stay on that elevator and run that elevator until the meeting was over, and only Communist Party officials could go up to that meeting, members of the Central Committee.

Q. Now, was there a meeting of the Central Executive Committee going on at the time you saw Harry Bridges in your elevator? A. Yes, sir.

Q. Who gave you these instructions that nobody but [1867] Communist Party members were to go in that elevator while a meeting of the Central Executive Board was going on?

A. I got it from my boss, Charles Kellener.

Q. Who? A. Charles Kellener.

Q. Charles who? A. Charles Kellener.

Q. Spell that. A. K-e-l-l-e-n-e-r.

Q. Is he a member of the Communist Party?

A. Yes.

Q. Was anybody with Harry Bridges at the time?

A. I believe Roy Hudson and ~~Peters~~

Q. Who is Roy Hudson?

A. Roy Hudson, he was the member of the Marine Workers Industrial Union on the East Coast.

Q. And is he also a member of the Communist Party?

A. He is a member of the Political Bureau?

(Testimony of John Oliver Thompson.)

Q. A member of the Political Bureau?

A. Yes.

Q. That is the highest body in the Communist Party? A. Yes, sir.

Q. And is that the same Peters who was giving you instructions in this District School, the National School? A. Yes, sir.

Q. A member of the Communist Party? [1868]

A. Yes, sir.

Q. And where did you take Harry Bridges, Roy Hudson and J. Peters on your elevator?

A. It was my duty not to let people up on that floor who weren't members of the Committee.

Q. Who were not members of the Committee?

A. Yes, sir. So I asked Mr. Bridges which floor he was going on. He was continuing up. And it was either Peters or Hudson who said "That's all right. This is Comrade Bridges. He is with us."

Q. Could you take people up to the ninth floor on Roy Hudson's O.K.? A. Yes, sir.

Q. And on Peters' O.K.? A. Yes, sir.

Q. And did you take Harry Bridges up to the ninth floor? A. Yes, sir.

Q. You let him off? A. Yes, sir.

Q. On the ninth floor? A. Yes, sir.

Q. What did Roy Hudson say to you before you took Harry Bridges up to the ninth floor? Just what did he say?

A. Well, I asked—I said "Where are you going"? see. He said, "That's all right". [1869]

Q. Asked who where he was going?

(Testimony of John Oliver Thompson.)

A. Bridges.

Q. And then Roy Hudson spoke up?

A. I'm not sure whether it was Hudson or Peters now who spoke up and said, "That's all right. This is Comrade Bridges."

Q. Did he say "Comrade Bridges"?

A. Yes, sir.

Q. Did he say anything else?

A. That's all. [1870]

Q. When Peters said this where was Harry Bridges? A. In the elevator.

Q. Did you hear Peters say that?

A. I assume I did.

Q. Was he within hearing distance?

A. Yes; it was a very small elevator.

Q. Were you all in the elevator?

A. Yes, sir.

Q. How many people does that elevator hold?

A. The legal capacity was 13 people, but we could never carry more than 10 on it.

Q. How many people were in the elevator at the time this conversation occurred?

A. There were three besides myself.

Q. Who were they?

A. Peters, Hudson and Bridges.

Q. Anyone else? A. No, sir.

Q. Do you know where Harry Bridges went after he got off the elevator on the 9th floor?

A. I guess he went to the room where the meeting was being held?

(Testimony of John Oliver Thompson.)

Q. Do you know where he went—did you see him go anywhere? A. No, sir. [1871]

Q. Are there any other offices, other than the offices of the Central Executive Committee of the Communist Party and the Young Communist League, on the ninth floor?

A. Their Central Control Committee room.

Q. Of what?

A. Of the Communist Party.

Q. Any other offices? A. That is all.

Q. Do you know how long Harry Bridges remained up on the 9th floor?

A. The meeting was over about two o'clock in the morning.

Q. What time of the day was this that you took Harry Bridges up?

A. I guess it was some time before ten o'clock.

Q. Ten o'clock in the morning?

A. At night. I went on for the shift from 3:00 to 11:00. I generally had to stay there when there was a meeting—I have to stay later until everybody is out.

Q. How long did you stay there that night?

A. I stayed almost to 3:00 o'clock. The meeting was over a little after 2:00. I had to go up to the top and taken two elevator loads down.

Q. The meeting was over about two o'clock in the morning? A. Yes. [1872]

Q. The next morning? A. Yes.

Q. Did you take Harry Bridges down?

A. Well, I didn't pay any particular attention.

(Testimony of John Oliver Thompson.)

to who I took down, but I took everybody up there down.

Q. How many loads did you take down?

A. I guess I took about three loads; about 30 people.

Q. Do you know the names of any of those that you took down?

A. I know some of them.

Q. Will you give their names?

A. There was Peters, Tommy Raye, Durbin, Wiener.

Q. Let me ask you this—question: Did you recognize all of the people, not all of the people, but those that you did observe, as being members of the Communist Party?

A. Oh, yes; couldn't let them up otherwise.

Q. Did you see anyone there that was not a member of the Communist Party?

A. No, sir.

Q. You said, Mr. Thompson, that you were familiar with all of the offices in the Communist Party headquarters because you were night watchman for a period of time there?

A. Yes, sir.

Q. Tell me what offices were in the building—how many floors are there in that buildi [1873]

A. There are nine floors.

Q. And what are some of the offices that are in that building?

A. Well, on the second floor was the Editor's office of the Russian newspaper, Novymir.

The Reporter: Spell it, please.

The Witness: I do not know how to spell it.

(Testimony of John Oliver Thompson.)

Mr. Del Guercio: N-o-v-y-m-i-r—is that agreed, Mr. Gladstein?

Mr. Gladstein: I don't know what you are talking about.

Mr. Del Guercio: The name of the Russian newspaper.

Mr. Gladstein: Are you asking me?

Mr. Del Guercio: Yes.

Mr. Gladstein: Why are you asking me?

Presiding Inspector: He thought you might perhaps know.

Mr. Gladstein: I don't happen to know.

Presiding Inspector: That is all.

Mr. Gladstein: Why don't you ask the witness?

Presiding Inspector: He did. He gave the name, but couldn't spell it.

Mr. Gladstein: The witness didn't know so, therefore, you are asking somebody else?

Presiding Inspector: He said he didn't know how to spell it. It wasn't quite that way. He didn't know how to spell it. He gave the name.

[1874]

By Mr. Del Guercio:

Q. What other offices were there?

A. On the third floor, the Workers' School office, and all the class rooms.

Q. And on the fourth floor?

A. On the fourth floor there was the Finnish Press, the Finnish Workers' office, Federation office.

Q. On the fifth floor?

(Testimony of John Oliver Thompson.)

A. On the fifth floor was the District Committee of the YCL, and the District Committee of the Communist Party.

Q. That was the New York District?

A. Yes, sir.

Q. And YCL—that is the Young Communist League? A. Yes, sir.

Q. What was on the 6th floor?

A. On the 6th floor was the Morning Freiheit office, the Editor's office and the Financial office—that is all I can recollect on that floor.

Q. What was on the 7th floor?

A. On the 7th floor was the print shop where they had all the setting up of the type for the Daily Worker, linotype machines, etc.

Q. What was on the 8th floor?

A. On the 8th floor they had the Daily Worker offices.

Q. Do you know who comprised the Central Executive [1875] Committee of the Communist Party during the period of time that you were employed there? A. I didn't get the question.

Presiding Inspector: Read the question.

(The question referred to was read by the reporter as above recorded.)

A. I don't know all of them because once in a while they change.

By Mr. Del Guercio:

Q. Those that you do know, name them?

A. There was Browder.

Q. Earl Browder? A. Yes; Robert Minor.

(Testimony of John Oliver Thompson.)

Q. Minor is the person who replaced Earl Browder, at the present time head of the Communist Party?

A. I don't know who he replaced. He was a writer on the Daily Worker's staff at that time.

Also Clarence Hathaway was on it.

Q. Do you know any others?

A. Not right off-hand, I can't remember the names of them.

Q. Did you mention Roy Hudson?

A. He was on the Political Bureau of the Communist Party and also on the Central Committee.

Q. Who is Tommy Raye you mentioned as being one of the persons with Mr. Bridges at the time you took him up to the [1876] 9th floor?

A. He was a member of the Marine Workers Industrial Union and also a leading Party official. He was on the Top Fraction of the Union and on the Political Bureau of the Party.

Mr. Del Guercio: Does your Honor want to stop here?

Presiding Inspector: Unless you can finish.

Mr. Del Guercio: I won't be able to finish.

Presiding Inspector: Tomorrow morning at ten o'clock.

(Whereupon, at 4:10 P. M. an adjournment was taken to Thursday, April 24, 1941, at 10:00 A. M.) [1877]

Court Room 276,
Federal Building,
San Francisco, California,
April 24, 1941.

Met, pursuant to adjournment, at 10:00 A.M.

PROCEEDINGS

Presiding Inspector: Call the witness, Mr. Del Guercio.

Mr. Del Guercio: He will be in shortly.

JOHN OLIVER THOMPSON

called as a witness on behalf of the Government,
having been previously duly sworn, testified further as follows:

Direct Examination (Resumed)

Presiding Inspector: Anything further, Mr. Del Guercio?

Mr. Del Guercio: Yes, your Honor.

By Mr. Del Guercio:

Q. Mr. Thompson, while you were employed in the Communist Party headquarters in New York City did you ever have occasion to see a Mr. McCuiston? A. William McCuiston; yes.

Reporter: Spell it please.

Mr. Del Guercio: M-e-C-u-i-s-t-o-n.

By Mr. Del Guercio:

Q. And in what capacity?

A. Well, I think he was connected with the Marine Workers Industrial Union and he used to

(Testimony of John Oliver Thompson.)

come there to the Top Fraction meetings which were held on the fifth floor.

Q. Speak a little louder, please?

A. He used to come to Top Fraction meetings there that were held on the fifth floor in the District Committee's office.

Q. Top fraction meetings of the Marine Workers [1879] Industrial Union?

A. Of the Marine Workers Industrial Union; yes.

Q. Did they hold meetings in the Communist Party headquarters? A. Yes, sir.

Q. How often?

A. Some time they held them in the quarters there and sometimes they held them in friends' houses, sympathizers' houses.

Q. And during what period of time was this?

A. Well, the last time I seen them was around '34.

Q. Around '34? A. Yes.

Q. Did you attend any of those meetings?

A. No, sir.

Q. Were you ever a member of the Marine Workers Industrial Union?

A. I was from the convention, when we went from the Marine Workers League to the Marine Workers Industrial Union, and that was in 1930, up until about '32, I was still in the Union.

Q. Was the Marine Workers Industrial League the successor of the Marine Workers League?

A. Yes, sir.

(Testimony of John Oliver Thompson.)

Q. And what was the Marine Workers League?

[1880]

A. Well, that was the beginning of organizing the Union in the Marine industry, and later on we got orders from the Party that the time was ripe to hold a convention and form an industrial union.

Q. And was the Marine Workers League—was it the Marine Workers League or the Marine Workers Industrial League?

A. The Marine Workers League.

Q. Was it connected with the Communist Party?

A. Yes, it was an auxiliary.

Q. It was what?

A. It was an auxiliary of the Party. All the leading functionaries were leading Party members.

Q. Do you know a Betty Gannett?

A. Yes. I know her from Philadelphia. She is on the District Committee. That's where I first met her.

Q. District Committee of what?

A. Of the Communist Party in Philadelphia.

Q. Did you ever have any business with her?

A. Well, in 1930, towards September, 1930, we called a strike there in Philly. It was supposed to be a strike there. So the A. F. of L. local during the time we were calling the strike, they went over and took the union hall away from us.

Q. What is that?

A. They took the union hall away from us.

(Testimony of John Oliver Thompson.)

Q. Who?

A. Polly Baker and his gang in Philly. [1881]

Q. What connection did Betty Gannett have?

A. So we went up to Communist Party headquarters about it. I believe it was on Spring Garden Street at that time. We discussed it up there. So there was Bill Lawrence and Betty Gannett and a few more of the leading functionaries up there. They decided the best way to get the hall back and protect ourselves was to have arms. We were given a German Luger, a .32 and a couple of sawed-off shotguns.

Q. Who gave you those guns?

A. Betty Gannett and Bill Lawrence.

Q. Was Lawrence a member of the Communist Party at that time?

A. I believe he was District Organizer at that time.

Q. Do you know Joseph Curran?

A. Well, I don't know him too well. I know he is a member of the Party.

Q. How do you know he is a member of the Communist Party?

A. Well, from seeing him around the headquarters there attending meetings.

Q. Have you ever been convicted of any felony?

A. Yes, sir.

Q. You have?

A. Yes, sir.

Q. For what?

A. I was convicted of manslaughter. [1882]

Q. Where?

A. In New York City

(Testimony of John Oliver Thompson.)

Q. When?

A. That was on December 21, 1939.

Q. And were you sentenced?

A. Yes, sir. Two to five.

Q. Two to five years? A. Yes.

Q. And what sentence did you serve?

A. I served about 17 months.

Q. Seventeen months?

A. I am out on parole now.

Q. You are out on parole at the present time?

A. Yes, sir.

Q. Had you ever been convicted of any other crime? A. No, sir.

Q. At any time? A. No, sir.

Mr. Del Guervio: You may cross examine.

Cross Examination

By Mr. Grossman:

Q. When did you leave the Communist Party, Mr. Thompson? A. In August, 1935.

Q. And how did you happen to leave?

A. Well, that was discussed with the Party there. I [1883] see them pulling the wool over our eyes and I decided to give it up.

Q. Did you make the decision suddenly?

A. No; it was in my mind for quite a few months.

Q. Did you remain active in the Communist Party work until August 1935?

A. No, I didn't.

Q. When did you become inactive?

A. Oh, I guess it was around about April.

(Testimony of John Oliver Thompson.)

Q. Did you do anything at all in the Communist Party between April and August of 1935?

A. Probably attended a few meetings.

Q. That is all? A. All to my knowledge.

Q. Did you express your attitude toward the Party to any of the Party officials between April and August of 1935?

A. Well, I expressed it to the manager of the building. He wanted to know why I was inactive so I told him. He said, "Well, it is either you be a party member or get out of the building. We can't have you working here if you are not a Party member."

Of course, I quit.

Two weeks later he sent for me. Hines and John Harvey were out to the house to see me, if I wouldn't come back. I wouldn't come back. [1884]

Later I was sent for by the Control Commission to come up to see Durbin. So I wouldn't go back. And a few weeks later my name and picture, I believe, was in the Daily Worker as being expelled.

Q. What were you expelled for, if you know?

A. An enemy of the working class, I believe it was.

Q. Do you remember any more details than that?

A. No; I didn't pay much attention to it.

Q. Did you read any items that may have appeared in the Daily Worker concerning your expulsion?

A. No.

(Testimony of John Oliver Thompson.)

Q. How did you know that an item was in the Daily Worker then?

A. There was a small line that was called to my attention.

Q. Did you read it?

A. I glanced over it. I wasn't much interested in it.

Q. Did anyone ever tell you whether there were any other reasons for your expulsion?

A. No, sir.

Q. When did you quit your job in the building?

A. It was on August 14, 1935.

Q. You mean just about the same time you left the Communist Party? A. Right.

Q. When did you first tell the manager—when did the [1885] manager of the building discuss with you your not carrying out Party duties, or your not being a good Communist Party member?

A. Oh, he discussed that with me two or three times.

Q. When was the first time?

A. I guess it was around May.

Q. Around May? A. Yes.

Q. And it is your testimony that despite the criticism which he then made of your Communist Party inactivity and attitude, that they nevertheless allowed you to continue working in the building between May and August of 1935?

A. Yes, sir.

Q. Do you know whether your job in the building was considered a confidential one?

(Testimony of John Oliver Thompson.)

A. Absolutely was.

Q. Didn't you consider it strange that a man who indicated his attitude to be unfriendly to some extent to the Communist Party should be kept for several months in a position of importance and trust?

Mr. Del Guercio: Just a moment. I object to that as being argumentative.

Presiding Inspector: I will take it. It is cross examination. You may answer.

Do you understand the question?

The Witness: Yes. I wouldn't consider that exactly unfriendly. I was told to go home and think it over. They said, [1886] "You are probably tired and all you need is a rest."

By Mr. Grossman:

Q. Did you honestly express your attitude at that time to the manager of the building?

A. Well, I told him I was sick of the whole business.

Q. Don't you consider that unfriendly?

A. No.

Q. You stated the other day, rather yesterday, Mr. Thompson, that on this occasion when you saw Harry Bridges it was the latter part of 1934 or the early part of 1935. Is it possible for you to fix it any more definitely than that?

A. No, I can't. I know it was in the winter months, round that part, because it was right after, six or seven months after the strike, the general strike, and there was a lot of discussion going on.

(Testimony of John Oliver Thompson.)

concerning the lessons to be learned from the fail-
ings of the strike. At that time there was a com-
mittee meeting. Central Committee meeting.

Q. How early might it have been—could it have
been as early as September of 1935? A. No.

Q. '34? A. No; it couldn't have been.

Q. Could it have been as early as October of
1934? A. I doubt it very much.

Q. Could it have been as early as November of
1934? [1887] A. It could have been.

Q. You do remember that it was in the winter
months?

A. It was cold because I remember the people
were wearing overcoats then.

Q. I am going to have to ask you which are the
winter months in New York?

A. What is that?

Q. Which are the winter months in New York?

Mr. Del Guercio: I think the Court will take
notice of that.

Mr. Grossman: I am entitled to know what the
witness considers as the winter months there.

Presiding Inspector: You mean what he con-
siders the winter months?

Mr. Grossman: Yes.

Presiding Inspector: I will allow it.

By Mr. Grossman:

Q. What do you consider the winter months in
New York?

A. It generally gets cold there around the latter
part of October and stays cold until after April.

(Testimony of John Oliver Thompson.)

Q. You don't consider April as one of the winter months, do you?

A. No; but it was cold enough to wear a coat.

Q. Well, it is your testimony that if you have to fix it more definitely it is much more likely it was in the [1888] November-December-January range than any other months of the year that you saw Harry Bridges there?

A. Around that time.

Q. Is there any event which enables you to fix it more definitely than you have yet fixed it—do you remember anything that was happening about the time that you saw Harry Bridges?

A. The only thing I remember was a committee meeting up on the 9th floor. I think there was some discussion going on about that time about elections, or something, out here on the west coast, and some dealings with the ILA in New York.

[1889]

Q. Do you remember whether it was before or after Christmas or before or after New Years?

A. Well, that's hard to say.

Q. Is it still your best recollection that it was about six months after the general strike?

A. Six or seven months, I believe.

Q. Could this have been as late as August, 1935?

A. No, sir.

Q. As late as July of 1935?

A. No, sir.

Q. As late as June of 1935?

A. No.

Presiding Inspector: He said "No".

(Testimony of John Oliver Thompson.)

By Mr. Grossman:

Q. Answer so that the reporter can hear. As late as May of 1935? A. No, sir.

Q. As late as April of 1935?

A. It could have been.

Q. It could have been. Do you think that's likely?

A. Well, if I knew the exact time I would state it, but I don't know the exact time.

Q. Does it appear to you now—

A. (Interposing) No, sir.

Q. (Continuing) —that it wasn't as late as May? [1890]

A. I don't think it could have been as late as May because we was wearing overcoats yet.

Q. Would your answer be the same as to April?

A. What?

Q. Would your answer be the same as to April?

A. Well, no. It could have been because April is cool. A lot of times in New York it is quite cool.

Q. Was this the only time that you had ever seen Harry Bridges? A. That's right.

Q. And until you came to his hearing it was the only time you had seen Harry Bridges?

A. Right.

Q. Have you ever been shipping out as a seaman recently? A. No, sir.

Q. When was the last time you shipped as a seaman?

(Testimony of John Oliver Thompson.)

A. I think the last time I paid off the ship was in 1930, in December, in Galveston, Texas.

Q. What work have you done—

A. (Interposing) I was taken off that ship, by the way.

Q. I beg your pardon?

A. I was taken off that ship by John Harvey of the Immigration Authorities, and so forth. We were going to dynamite it for the Party. [1891]

Q. What work have you done since you left the Communist Party? Will you itemize the various jobs, please.

A. Well, I worked on the WPA as a guard.

Q. Was that the first job you had after you left the Communist Party?

A. The first job was the WPA.

Q. And how long did you have that?

A. I worked on there—let's see! I worked in September, I believe; September the 23rd, 1935, and worked a couple of months as a laborer and then I was promoted to a guard and worked until

• November 14, 1936.

Q. Was that in New York City?

A. New York City, up in the Bronx.

Q. What was your next job?

A. The next job I worked for Douglas Elman Real Estate Corporation.

Q. Douglas who? A. Douglas Elman.

Q. How long did you work for him?

A. I worked there up until about December the '36—I believe it was '37. It was December

(Testimony of John Oliver Thompson.)

of '37, I believe. I worked there about 13 months, anyway.

Q. What kind of work did you do there?

A. Well, I was relief man.

Q. What does that mean?

A. Well, I run the elevator, relieved the elevator [1892] men on the days off, the firemen, the porter, the hallman, the doorman, etcetera.

Q. And after that what was your next job?

A. Well, was in the Tombs for a few months and I come out on bail.

Q. What were you in the Tombs for?

A. Manslaughter.

Presiding Inspector: The Tombs is the criminal prison in New York City.

Mr. Grossman: Yes.

A. (Continuing) And then I went back to work for the same people.

By Mr. Grossman:

Q. You have been working for them up to date?

A. No. I worked for them until I was sentenced, and then after I come out I worked a while for a contracting company in New York.

Q. What was the name of the company?

A. William H. Hahn. That is 61 West 131 Street.

Q. What kind of work did you do there?

A. I was a helper, mixing cement, plaster and so forth; sidewalk jobs.

Q. How long did that job last?

A. I worked there until—I started there in

(Testimony of John Oliver Thompson.)

February of last year and I worked there until about June, the first part of June. That's 1940.

[1893]

Q. And after that?

A. After that I went to work at the Empire City race track.

Q. Doing what?

A. Working maintenance.

Q. Do you still hold that job. A. Right.

Q. You say you are at present on parole?

A. Yes, sir.

Q. And how long a period is your parole?

Q. Oh, finish up in September, 1943.

Q. September, 1943?

A. Yes, I think it is September 13th.

Q. You pleaded guilty, did you not, to this offense? A. That's right.

Q. And the offense was committed, was it not, with a knife? A. Right.

Mr. Del Guercio: If your Honor please, I don't think it is proper ordinarily to question the witness here as to the nature of the offense.

Presiding Inspector: Well, I think I will allow that.

Mr. Del Guercio: I have no objection to it, but I think—

By Mr. Grossman:

Q. (Interposing) And the offense was committed against [1894] your wife, was it not?

A. Yes.

Q. You stabbed her in the back, did you not?

(Testimony of John Oliver Thompson.)

A. No, not to my knowledge.

Q. Where was she stabbed?

Mr. Del Guercio: Well, if your Honor please, I object to that.

Presiding Inspector: What is the materiality of this?

Mr. Grossman: I think the nature of the offense—

Presiding Inspector: (Interposing) You have got a conviction of manslaughter. Now, if you want to ask what degree of manslaughter that would be all right. But we can't go into details and try this case over again.

Mr. Grossman: I am not trying to try the case over again.

Presiding Inspector: It doesn't affect his credibility.

Mr. Grossman: It does to some extent.

Presiding Inspector: Not with this Inspector. Now, go ahead. He has admitted the crime. The crime is well defined.

By Mr. Grossman:

Q. Have you ever been arrested on a charge of felony except for this manslaughter?

A. Yes. I believe I was arrested in 1933, New York City, down at the Garment Center. I was assigned to go out and do "dumping" by Irving Potash.

Q. What were you charged with? [1895]

A. Felonious assault.

Q. What was the disposition of the case?

(Testimony of John Oliver Thompson.)

A. Well, it happened so that I was with the people that when the thing was around there and with those was going on, so they just picked up everybody.

Q. No. What I want to know is this: Was there a trial?

A. No, it was dismissed.

Q. You didn't plead, then?

A. No, dismissed.

Q. Have you ever at any other time been arrested and charged with a felony?

A. No.

Q. Have you been convicted of any crime except that which was mentioned?

A. No, sir.

Q. Are you paroled at the present time to any individual or organization?

A. No, sir.

Q. When did you first begin to run the elevator—

Presiding Inspector: (Interposing) I think perhaps you ought to know something about the system in New York in that respect.

Mr. Grossman: Yes. [1896]

Presiding Inspector: Whom do you report to?

The Witness: I have a parole officer.

Presiding Inspector: He is a public officer?

The Witness: A public officer. I report to him once a month now.

By Mr. Grossman:

Q. When did you start running the elevator in the Communist Party buildings?

(Testimony of John Oliver Thompson.)

A. Well, I believe it was as—as an elevator operator?

Q. Yes.

A. I would say around November, around November of '32.

Q. Did you work continuously on the elevator from then until August '35?

A. Yes.

Q. Did you work on the same elevator all that time?

A. Well, once in a while when that elevator broke down, which happened very often—that was on the 13th Street side. [1897]

Q. Most of the time, and when it wasn't broken down you worked on a single elevator?

A. Right.

Q. That elevator—how would you describe that elevator as against the other elevators?

A. Well, the one on the—you mean the 13th Street side elevator?

Q. I am concerned with your describing the elevator you ran so that we can distinguish it from the others?

A. Well, it is a pretty small elevator.

Q. Does it do any different work, cover any different floors, run at any different times than the other elevators?

A. No.

Q. All the elevators go to every floor?

A. All except the one on the 13th Street side; there are two that never touch the 9th floor.

Q. Did you work every day of the week?

(Testimony of John Oliver Thompson.)

A. No, I had a day off.

Q. Do you remember which day it was regularly, if you had a day off?

A. I remember I was off—let me see—I believe I was off on a Sunday, Sunday afternoon, because I worked one night a week on this elevator on Saturday night. The watchman was off and I went on the elevator at 11:00 o'clock at night and worked [1898] to 7:00 o'clock Sunday morning. I didn't report back to work until about 3:00 o'clock Monday afternoon.

Q. That was your usual day off?

A. Yes.

Q. Do you remember what day of the week this occasion was when you saw Harry Bridges?

A. No, I don't.

Q. Do you remember whether it was your Saturday night?

A. I wouldn't know.

Q. How many times did you see McCuiston come into this building?

A. I have seen him quite often.

Q. How many times would that be?

A. I don't know. I wouldn't be able to say. I never counted the times. When you are on an elevator you take so many people up and you generally take them up by their faces because you get used to them.

Q. During what period of time did you see him?

A. I believe I seen him around, a few times, I think, it was in '31. I seen him there again around '34.

Testimony of John Oliver Thompson.)

Q. You weren't running an elevator in '31, were you? A. What?

Q. You weren't running this elevator in '31?

A. No, but I was on as night watchman. I took the elevator at 11:00 o'clock at night and run it until everybody [1899] was out of the building.

Q. Did you see him in '32?

A. I don't think so.

Q. Did you see him in '33?

A. Could have been.

Q. Did you see him in '34?

A. Right.

Q. Did you see him in '35?

A. No.

Q. You didn't? A. No.

Q. Are you sure of that?

A. I can't be positive.

Q. Why do you think you didn't see him in '35—
—you don't recall?

A. I don't recall is all.

Q. Your best recollection is that you did not see him in '35?

A. To my best knowledge.

Q. You have answered questions about these respective years. Have you done it from your memory or have you figured it out from some independent information you have?

A. I am just trying to remember.

Q. Did you ever see Mr. McCuiston go anywhere else in the building except to the fifth floor? [1900]

A. No.

Q. You stated that he was going to Top Fraction meetings, I believe?

A. Right.

(Testimony of John Oliver Thompson.)

Q. Did you state that? A. Yes.

Q. How did you know that?

A. Because I know quite a few other seamen used to come up there and there used to be Top Fraction meetings on that floor held once in a while, so I took it for granted that that was what he was going up for.

Q. What were the facts from which you took it for granted?

A. Because there were meetings being held up there, Top Fraction meetings, and they wouldn't have any seamen coming up at that time for any other reason. You know that yourself. They are very particular who they let around there.

Q. You mean that at particular times Top Fraction meetings were being held and at those same times he went to the fifth floor?

A. I wouldn't say every time.

Q. On some of the occasions? A. Yes.

Q. Do you have any other information to indicate when he went to the fifth floor he went to Top Fraction meetings? [1901] —

A. No.

Q. Did he ever tell you that he was attending Top Fraction meetings? A. No.

Q. Were there any other people on the floor when Top Fractions meetings were held?

A. Sometimes some big functionaries like Amter — A-m-t-e-r — and Krumbin were there.

The Reporter: Spell the last name, please.

The Witness: I don't know how.

(Testimony of John Oliver Thompson.)

Presiding Inspector: Spell it phonetically—
K-r-u-m-b-i-n.

By Mr. Grossman:

Q. How many different offices were there on the fifth floor?

A. You mean in number or name?

Q. Number.

A. I would say about nine or ten different doors.

Q. How many individuals worked regularly on that floor? A. That would be hard to say.

Q. Just an estimate? A. What?

Q. Just an estimate.

Mr. Del Guercio: If you know, if the Court please.

Mr. Grossman: I think an elevator man has general knowledge of such things. [1902]

Presiding Inspector: You mean continuously?

By Mr. Grossman:

Q. What would you say was the average number of persons that were working on this floor every day during the time that you were running the elevator?

A. That is hard to say for in a Party building like that they are coming and going all the time.

Q. Would it be more than ten people?

A. I presume so.

Q. Would it be close to 25?

A. I don't know.

Presiding Inspector: You mean exclusively on that floor?

Mr. Grossman: Yes; on the fifth floor.

(Testimony of John Oliver Thompson.)

Presiding Inspector: Exclusively?

Mr. Grossman: Yes; worked just on the fifth floor.

Presiding Inspector: You haven't shown that any worked there.

Mr. Grossman: He stated, there were certain offices on this floor. I assume certain people regularly occupied those offices.

Presiding Inspector: I don't know.

By Mr. Grossman:

Q. There were some people that worked on the 5th floor exclusively, weren't there?

A. Yes, there were. [1903]

Q. What offices were on that fifth floor?

A. They had the Party District office—that is the New York District the Y.C.L. District Office, and they had a District office of the Daily Worker. That is all I can recall.

Q. Were there more that you can't now recall the names of?

A. Well, there are more offices there but they were all connected with the same thing—like the Financial Secretary's office, David Leeds' office—that all belonged to the District Committee.

Q. When were these Party Top Fraction meetings held, during the day or during the night?

A. Most of the time they were held at night.

Q. You discussed yesterday your attendance at the National School, I think you called it?

A. National Training School.

(Testimony of John Oliver Thompson.)

Q. National Training School? A. Yes.

Q. During what period did you attend that school?

A. Well, I attended that school in 1931.

Q. Were there any other seamen at the school besides yourself?

A. I believe there were three or four there.

Q. And do you recall who they were? I don't ask you to name them, but I want to know if you recall who they were. [1904]

Mr. Del Guercio: I object to that. If he is asking who they were certainly he ought to give their names.

Mr. Grossman: You can question him on that.

Mr. Del Guercio: Just a moment—

Presiding Inspector: Don't argue.

Mr. Grossman: I think we have too many interruptions from Mr. Del Guercio. He can take care of it, if he is interested, on his examination.

Presiding Inspector: Counsel has a right to interrupt. He has his client, the Government, to represent here; just as you have your client, the Alien.

Mr. Grossman: Except I have no objection to his asking on his examination who they were, but if I am not interested I don't have to ask their names because he is interested in their names.

Mr. Del Guercio: Does counsel object to me addressing the Court?

Presiding Inspector: Look here—just a moment. You ask the next question. I want no argument on the matter.

(Testimony of John Oliver Thompson.)

By Mr. Grossman:

Q. The next question is this: Without naming them, do you remember who the seamen were that were in the school with you?

A. You don't want their names?

Q. I asked if you recall who they were without naming them. [1905]

A. I believe so.

Q. You can?

A. Yes.

Q. Do you recall what kind of work they did on the ships, whether they were Masters or Engineers, or deck, or what?

A. There were three working in the black gang, in the engine department.

Q. All that you can recall were from the black gang, is that it, the engine room crew?

A. That is right.

Q. You were the only one from the deck department?

A. No; I believe there was another one there.

Q. And the five of you were all the seamen in this school?

A. Yes.

Q. When were you first contacted by any representative of any Government agency with respect to what you knew about Harry Bridges?

A. I believe that was in October 1940.

Q. By whom were you contacted, and where?

A. By my parole officer, who came out to my house and told me that the FBI Agent wanted to see me—that he didn't want to come to the house and cause any disturbance—and he asked me to go up to

(Testimony of John Oliver Thompson.)

the office. He didn't tell me what it [1906] was for, or anything.

Q. Did you go immediately to the FBI office?

A. I went the next day.

Q. Whom did you see there?

A. I seen a Mr. Pope, I believe is his name.

Q. Anyone else present when you talked to him?

A. There was one more person, but I don't remember his name.

Q. What has the first thing that was said when you began to talk with Mr. Pope?

A. Well, he asked me if I was a member of the Communist Party at any time, and I explained to him—

Q. (Interposing) Just a moment. Did you give him such information about your Communist Party membership.

A. Right.

Q. You gave him correct information?

A. Right.

Q. What else did he ask?

A. He asked me about working there, how long I worked there, and so forth. I told him. Then he asked me the people I knew, and so forth, and he asked me if I had ever seen Harry Bridges in New York. I told him "Yes." He asked me if he was a member of the Communist Party, if I had ever seen his book, and I told him, "No." I have never seen his book." [1907]

Q. Do you remember anything else about this conference?

(Testimony of John Oliver Thompson.)

A. He asked me if I was willing to come out here and testify.

Q. What did you say?

A. I told him "Yes."

Q. Was any statement drawn up at that meeting for you to sign.

A. Yes, sir.

Q. Was it typed or written?

A. Typed.

Q. Did you sign it on this same occasion?

A. The same day.

Q. Did you see them again or did you see any representatives of the FBI again?

A. Yes. I went down there once more to see them.

Q. Why did you have to go down again?

A. Well, they sent for me.

Q. What happened the second time?

A. They asked me if I knew certain other people. They asked me names of certain other people and so forth.

Q. Whom did they ask you about?

Mr. Del Guercio: If your Honor please, I object to that question. It isn't material to the issue here. If they asked him about other people who were in the Communist Party [1908] headquarters it might have been for another purpose than this case here.

Presiding Inspector: I suppose you can confine it to this general subject.

Mr. Grossman: I beg your pardon?

Presiding Inspector: You mean this question as confined to this general subject?

(Testimony of John Oliver Thompson.)

Mr. Grossman: Oh, yes; except that he might not know the answer to that.

Presiding Inspector: I think I will take it.

By Mr. Grossman:

Q. About what other people did they ask you?

A. They asked me about Tommy Raye and George Meek and Hudson and Wiener and Blake, Browder.

Q. Any other? A. Trachtenberg.

The Reporter: Spell it, please.

The Witness: I can't spell it.

By Mr. Grossman:

Q. Did they ask you about McCuiston?

A. No.

Q. Did they ask you about McCuiston the first conference you had. A. No.

Q. Did they mention anything else about Bridges at the [1909] second conference or did they ask you about Bridges?

A. No. They asked me if I wasn't sure that he was a Party member. They asked me to think back.

Q. What did you tell them?

A. I told them I wasn't sure as far as his book was concerned, but that as far as being introduced as a Communist, that was enough, because only Communist Party members were allowed on the ninth floor. High Party members, too.

Q. Did you have any other conferences with representatives of the FBI?

A. Not until about a day before I come here. They came down and notified me I had to come.

(Testimony of John Oliver Thompson.)

Q. Did you have any discussion at that time about your testimony? A. No, sir.

Q. Or what you knew about Bridges?

A. No, sir.

Q. Did any of these FBI men tell you how they happened to get in touch with you?

A. They never did.

Q. Do you happen to know of your own knowledge how they knew, if they knew, that you had some information about Bridges?

A. The only way I figured they could know it is by my record, where I was arrested, and so forth, and where I worked.

Q. You mean when you were arrested you stated that you had worked formerly in the Communist Party headquarters? [1910] A. Right.

Q. Have you ever told anyone since this occasion when you saw Bridges about it up to the time that you talked to the FBI?

A. Up to the time?

Q. Yes.

A. Well, I talked to a couple of boys up there in the prison; two sailors.

Q. Before you went to prison did you ever mention it to anyone else?

A. My brother. He told me he attended an open unit meeting of the Communist Party and Joe Curran and so forth was all in there, and he asked me and we discussed those things.

Q. Did you tell it to anyone else?

A. No.

(Testimony of John Oliver Thompson.)

Q. Did you ever tell it to any other representative of the Governmental Agency, State or Federal?

A. No, sir.

Q. Have you ever testified before or given any statement to the Dies Committee?

A. No, sir.

Q. Did you ever give a statement in connection with your arrest or imprisonment for manslaughter concerning what you know about Harry Bridges?

A. I don't understand that question. [1911]

Q. Did you ever give any statement in connection with your arrest or your imprisonment for manslaughter about what you know about Harry Bridges?

A. You mean when I was arrested?

Q. Well, I assume there are certain times when they ask you questions; your parole officer probably asks you questions and the prison probably asks you question.

A. I was never asked anything concerning the labor movement.

Q. Well, have you ever given such information in connection with questions that were asked you by reason of your arrest and conviction?

A. They never asked those sort of questions.

Presiding Inspector: You never did give any information to them?

The Witness: No, sir.

By Mr. Grossman:

Q. Did you ever tell your parole officer what you state you know about Bridges?

(Testimony of John Oliver Thompson.)

A. No, he never asked me much about it.

Q. Did you ever tell him?

A. No, not until—not until the day before I come here and he asked me about it. So I told him just how it was. So he says "Go there and tell the truth".

Q. Have you ever used any other name except John [1912] Thompson?

A. I used my Party name. Just "Jack".

Q. Anything else? A. Nope.

Q. Have you ever been offered any inducement whatsoever for testifying in this case?

A. No, sir.

Q. Were you offered any inducement whatsoever for giving a statement or affidavit to the Federal Bureau of Investigation? A. No, sir.

Q. Did anyone ever tell you that there might be some effect on your continuing out on parole if you did not cooperate with the FBI in this case?

A. No, sir.

Mr. Del Guercio: I object to that, your Honor. There is no foundation for it.

Presiding Inspector: No, there is no foundation for it. But I will allow it. I don't see exactly how that could be. But, then, go ahead. It is a state offense and not a government offense.

Mr. Grossman: Yes, except that parole violators can be pulled in rather easily, if the procedure is the same in New York, without a hearing or anything else. [1913]

Presiding Inspector: They can be.

(Testimony of John Oliver Thompson.)

Mr. Del. Guercio: That statement of Counsel is out of order.

Presiding Inspector: It is quite the fact, however. Go ahead.

By Mr. Grossman:

Q. Has anyone ever told you that unless you cooperated with the FBI in this proceeding you would be sent back to prison?

A. No, sir. I just asked my parole officer was it necessary that I go, and he said "You, or anybody who gets a subpoena has to go."

Q. At the time you gave the statement to the FBI were you of the opinion that if you did not cooperate with them you might have to go back to prison to serve the rest of your term?

A. No, sir.

Mr. Grossman: That is all.

Presiding Inspector: Now, I have been thinking over the ruling that I made about his crime. If you want to ask him a little more about it, as this record will be read by others besides myself, I will let you do it.

Mr. Grossman: I think I have only one or two more questions on that.

Presiding Inspector: Of course, manslaughter is the [1914] causing of death without intention.

The Witness: Judge—

Presiding Inspector: (Waving hand negatively).

(Testimony of John Oliver Thompson.)

By Mr. Grossman:

Q. Were you convicted of manslaughter in the first degree? A. Second degree.

Q. Second degree. And were you indicted for manslaughter in the first degree?

A. Yes, sir.

Q. And you pleaded guilty to manslaughter in the second degree, is that right? A. Right.

Q. Now, the question I asked you before when we had some objection to the nature of the question was whether you had stabbed your wife in the back.

Presiding Inspector: He answered that question. That was answered.

Mr. Grossman: Well, I wanted to—his answer was, I think, something about his not remembering.

Presiding Inspector: "Not that I know of", he said, or something of that kind.

Mr. Grossman: I want to follow that.

Presiding Inspector: All right. [1915]

Mr. Del Guercio: I want to enter here an objection to any question along that line.

Presiding Inspector: All right. I think you probably should. That's right.

By Mr. Grossman:

Q. Do you know where your wife was stabbed by you?

Mr. Del Guercio: I object to that.

By Mr. Grossman:

Q. I mean what portion of her body.

(Testimony of John Oliver Thompson.)

Presiding Inspector: I will take that, if he can tell.

The Witness: I don't think I have to answer those questions. I am not on trial.

Presiding Inspector: No, you are not. But answer the question. It will only be a question or two.

By Mr. Grossman:

Q. You don't want to answer this question?

A. No, I don't.

Mr. Grossman: All right. I will withdraw it. That is all. No more questions.

Presiding Inspector: Anything further?

Mr. Del Guercio: No further questions.

Presiding Inspector: That is all.

Mr. Del Guercio: May the witness be excused?

Presiding Inspector: You may be excused.

(Witness excused.) [1916]

Mr. Del Guercio: May I take just a minute? I have another matter.

Presiding Inspector: Do you want a recess? A slight recess?

Mr. Del Guercio: If you please.

Presiding Inspector: All right.

(Whereupon, a short recess was taken.)

[1917]

Presiding Inspector: You may proceed.

Mr. Del Guercio: Take the stand, Mr. McCuiston.

Presiding Inspector: Raise your right hand.

WILLIAM C. McCUISTION

called as a witness on behalf of the Government, having been first duly sworn, testified as follows:

Presiding Inspector: Give your name and address to the reporter.

The Witness: William C. McCuistion—M-c-C-u-i-s-t-i-o-n; 319 Proctor Street, Port Arthur, Texas.

Direct Examination

By Mr. Del Guercio:

Q. Are you employed at the present time?

A. No, sir, I am not.

Q. Where were you born?

A. I was born in Paris, Texas.

Q. Of what country are you a citizen?

A. Of the United States of America.

Q. Have you ever been a member of the Communist Party? A. Yes, sir.

Q. When did you join?

A. I joined the Communist Party first in 1922.

Q. Where?

A. I joined first here on the West Coast, in the City of San Francisco. [1918]

Q. And how long did you continue your association with the Communist Party?

A. More or less intermittently I continued my association up to 1935. I was out of the Party though, perhaps for a period of six or seven years in between through various disagreements I had with the Party.

(Testimony of William C. McCuistion.)

Q. And since 1935 have you been associated with the Communist Party?

A. Only in the capacity of an adviser to the higher committees, adviser on labor questions.

Q. While you were a member of the Communist Party, or while you were associated with the Communist Party, did you become a member of the Marine Workers Industrial Union?

A. Yes; I became a member of the Marine Workers Industrial Union at the time of the formation of the Union. I was a charter member of the Union.

Q. You were a charter member? A. Yes.

Q. Do you know how the Marine Workers Industrial Union came into existence? A. Yes.

Q. How did it come into existence?

A. The Marine Workers Industrial Union came into existence by virtue of a convention called by the Marine Workers League. The convention was called, as I remember, in April, [1919] 1930.

Q. Who called the convention?

A. The convention was called by the Marine Workers League and by the Trade Union Unity League, at the instance of the Red International of Trade Unions.

Q. What was the Marine Workers League?

A. The Marine Workers League was an organization of seamen, a very small skeleton organization, being the American section of the International Seamen's Clubs, and the International Seamen and Harbor Workers, affiliated with the Trade

(Testimony of William C. McCuistion.)

Union Unity League, and the Red International of Labor Unions.

Q. Was it a purely Communist-conceived, controlled and dominated organization?

A. The membership was practically 100 per cent Communists.

Q. Do you know why the Marine Workers Industrial Union was formed?

A. The Marine Workers Industrial Union was formed because at that time the only other organization in the field, especially on the Atlantic and Gulf, was the skeleton organization of the International Seamen's Union of the American Federation of Labor; and it was showing signs of growing and becoming an influence. The Communist Party made the decision that the Marine Workers League would have to change its form into that of an industrial union in order that they would be able [1920] to retain their influence among the seamen, and to control a certain section of the seamen and possibly get into control of the industry.

Q. For what purpose?

A. For the purpose that the Communists organize any other union, for the purpose of having a means of disseminating their propaganda, carrying on agitational work, organizing for the revolutionary end.

Q. Would you say that the Marine Workers Industrial Union was formed by the Communist Party for any other purpose other than for carrying out the objectives of the Communist Party?

A. No. The end proved that that was exactly

(Testimony of William C. McCuistion.)

the case; that the Marine Workers Industrial Union was only a tool of the Party and when it served its purpose the Party liquidated it.

Q. Do you know if the Marine Workers Industrial Union ever disassociated itself from the Trade Union Unity League?

A. Never at any time. I was an official of the Marine Workers Industrial Union from the day of its birth to the day of its death.

Q. When did the Marine Workers Industrial Union go out of existence? A. In 1935.

Q. And why?

A. Because of the decision of the National Fraction. [1921] The Communist members and the leadership of the Union, held a meeting at 35 East 12th Street in New York City, and in this meeting decided, with practically a unanimous vote—myself and one other member of the National Fraction dissented—to liquidate the Union and to instruct the membership of the Union to join the American Federation of Labor.

Q. Do you know why the matter of liquidating the Marine Workers Industrial Union was taken up at that Fraction meeting?

A. Yes; because at that time the seamen, through the medium of the West Coast strike, the longshoremen, and various others, had become organized, and because the seamen as a whole had failed to follow the Party line, failed to follow the Communist Party led Marine Workers Industrial Union, and the Communist Party felt that if they continued with the Marine Workers Industrial

(Testimony of William C. McCuistion.)

Union the seamen and the members of the Union would be isolated from any chance of employment, or any chance in participating in the activities of the big mass of seamen. For that reason they liquidated it in order to turn their influence to the much larger American Federation of Labor.

Q. Had any orders come from Moscow, from either the Red International of Labor Unions, or elsewhere in Moscow, to liquidate the Marine Workers Industrial Union?

A. The orders came directly from two sources: The orders came directly from the International Seamen and Harbor Workers, and orders came directly from the Red International of [1922] Labor Unions. The orders were also transmitted through the Political Bureau of the American Party as coming direct from the Communist International.

Q. Did the Trade Union Unity League, of which the Marine Workers Industrial Union was a part, ever disassociate itself for any period of time from the Red International of Labor Unions?

A. It was impossible for it to disassociate itself.

Q. Why?

A. It was called the American section of the Red International of Labor Unions; it was organized by the Red International of Labor Unions; it was a child of the Red International and couldn't have disassociated itself.

Q. Your answer is it never did disassociate itself?

A. Never at any time, never until its liquidation, and then it disassociated itself from everything.

(Testimony of William C. McCuiston.)

Q. You say you were a charter member of the Marine Workers Industrial Union? A. Yes.

Q. Where was that?

A. That was in New York City. The convention was held there.

Q. Did you hold any office?

A. I was a member of the National Committee and the National Bureau of the organization, from the time of the birth of the organization until the time of its liquidation; besides [1923—24] holding various local positions in different cities. I was secretary at various times in Buffalo, Cleveland, Houston, Philadelphia, Baltimore, New York—and at various other places.

Q. And was the chapter or union of the Marine Workers Industrial Union on the Pacific Coast under your jurisdiction?

A. It was absolutely under the jurisdiction of the National Bureau of the organization, which corresponds to an executive committee in any other organization.

Q. Was there such a Union on the Pacific Coast?

A. Yes.

Q. During what period of time?

A. The Union on the Pacific Coast—from the very beginning. The Marine Workers League, originally was on the Pacific Coast, first having a hall on Stuart Street and later a hall on Clay Street; and the Marine Workers Industrial Union followed right along and organized the branches in San Francisco, San Pedro, Portland, Seattle, which were the main branches.

(Testimony of William C. McCuiston.)

Q. Did you correspond with the Marine Workers Industrial Union on the Pacific Coast?

A. Frequently.

Q. Who were some of the other members of the Committee of which you spoke?

A. Tommy Rave, Roy Hudson, Joe Bianca, Harry Hynes, David Drummond, Al Lannon—and various others. I would have [1925] to refresh my memory by looking back over some of my notes to name others, but I do recall that various others came on from time to time as replacements. These were there all the time.

Q. Did you know a Mr. Nat Honig?

A. Yes, sir; I knew him very well.

Q. Was this during the same period of time?

A. Yes, sir; and for some time before.

Q. What was Nat Honig at that time?

A. He was a member of the Executive Committee of the Trade Union Unity League, and he was also editor of Labor Unity, the official publication of the Trade Union Unity League. He conducted a school, Workers School of Journalism, they called it, in trade union journalism; sort of an informal school for those of us who were connected with organizations within the TUUL.

Q. Going back to this correspondence which you said you had with the Marine Workers Industrial Union in San Francisco, with whom did you have such correspondence?

A. The majority of the correspondence was with Tommy Rave and with Harry Hynes. On at least

(Testimony of William C. McCuiston.)

two occasions I had correspondence with Harry Bridges.

Q. Well, do you know Harry Bridges?

A. I know him personally; yes.

Q. Where is he?

A. Not intimately, but I am acquainted with him.

Q. Can you identify him? [1926] A. Yes.

Q. Is he in the court room?

A. Yes; sitting right there, the gentleman with the gray suit. (Indicating).

Q. What was the nature of the correspondence you had with Bridges?

A. Dealing with the policy of the Waterfront Worker. There had been some differences between Raye and Hynes and Bridges, on the question of the policy the paper should follow. In this they had a difference with Darcy, who was organizer of the Party here. Their opinions didn't exactly agree with his. So the matter was put before the National Fraction of the Marine Workers Industrial Union, which was a higher Party organization.

Q. Was Bridges a member of the Marine Workers Industrial Union at that time?

A. I have never seen his membership book in the Marine Workers Industrial Union. However, he was actively working in the organization of the Marine Workers Industrial Union as a member of the Communist Party, as a member of the leading Fraction on the West Coast here that superintended the organization of all marine affairs.

(Testimony of William C. McCuistion.)

Q. And is that why you corresponded with him?

A. I corresponded with him as a leading Communist in the marine industry, and corresponded with him understanding he was [1927] a leading Communist in the marine industry on the Pacific Coast.

Q. Did you make copies of that correspondence?

A. There were no copies kept of it. Well, perhaps there was the original correspondence, but that was all in the possession of Roy Hudson and where it has gone nobody knows.

Q. Did you ever meet Mr. Bridges?

A. Yes.

Q. When was the first time you met him?

A. The first time I met Mr. Bridges was in 1935, met him personally. I had known of him for some time previous.

Q. Where did you meet him?

A. I met him at the foot of Clay Street.

Q. Where?

A. San Francisco, California.

Q. Who was present at the time?

A. Frederick A. Reed, myself and Mr. Bridges.

Q. Who was Frederick A. Reed?

A. Frederick A. Reed was a member of the Communist Party and a seaman.

Q. And did you have any conversation with Bridges at that time?

A. Just a brief conversation and a lunch.

Q. Well, were you introduced to Bridges?

A. I was introduced by Fred Reed. He said,

(Testimony of William C. McCuistion.)

"Bridges, this is McCuistion." And Bridges said, "Hello." That was about the extent of the meeting. [1928]

Q. Well, what did you do after that?

A. The fact that I had been shortly before expelled from the Party was mentioned——

Q. (Interposing) Who mentioned that?

A. Bridges mentioned that.

Q. How did he mention it, in what manner?

A. Well, he mentioned it in the form that they had work for active men to do around the waterfront here, and that my expulsion was made with a provision that within a year I was eligible for readmission to the Party, and, that, by working around the waterfront here and helping the Party carry on their activities, particularly, in relation to getting Scharrenberg, the Sailors Union of the Pacific, and organizing a bloc to oust Harry Lundberg, that on that basis I could get back in the good graces of the Party and be readmitted.

Q. By the Party you mean——

A. (Interposing) Yes.

Q. What party?

A. The Communist Party; the one that I was expelled from.

Q. Did you have this conversation in the presence of Reed?

A. No; just a brief part of it in the presence of Reed. The rest was discussed at some little waterfront restaurant. I was broke at that time and Harry bought the [1929] dinner.

(Testimony of William C. McCuistion.)

Q. Did Bridges tell you how he knew you had been expelled from the Communist Party?

A. I didn't ask him that. He had a clipping from the Daily Worker. He also spoke of the Communist Party. Although I couldn't swear that he was a member of the Communist Party, he spoke of the Communist Party as "we," "You ought to come back and help us," and "we are always sorry to have to expel a militant worker," and so on and so forth like that. I could only draw the implication; that was all.

Q. As a result of that meeting were any arrangements made to meet Bridges again?

A. Yes. I saw Bridges that same night.

Q. Where?

A. I think up on Grove Street, the headquarters of the Communist Party.

Q. Did Bridges ask you to meet him at the headquarters of the Communist Party?

A. He said that he wanted to talk to me later on. I asked where to meet him. He said, "I will see somebody at headquarters that will tell you."

I said, "I will be going there."

I thought probably I was going out to meet him in a house, or something like that, but instead he was there when I got there. [1930]

Q. He was in the Communist Party headquarters?

A. Yes, sir.

Q. Who else?

A. As I remember, Elmer Hanoff was present and one or two others who I didn't know. I wasn't

(Testimony of William C. McCuiston.)

acquainted with the Party membership around San Francisco at that time. I had known Hanoff before because he had been in the leadership of the party always. Reed was there. Reed went up with me.

Q. Did you have any conversation with Bridges at that time?

A. Just a brief passing conversation. We discussed what I was going to do. I stated that I was sore at the Party for having liquidated the Marine Workers Industrial Union and that I didn't intend to stick my neck out any more; that I was a seaman and that I was going to sea as soon as I got a chance. But I also stated that I probably would have a hard time going because I point-blank refused to join the American Federation of Labor Unions, either one of them. I disagreed with their principles almost as much as I disagreed with the Communist Party principles.

Q. Did you go out to sea?

A. I went to sea. Mr. Bridges said that he could arrange it for me and, as a result, why, I was told to contact, I think it was, Mills at the Sailor's Union of the Pacific. [1931] It was strange because I always sailed below in the engine department. However, this contact was made for me. I was given a shipping permit without having to produce any clearances, any papers, pay any dues or even take a union book out. I was given a permit in the shipping department. That wasn't my department, and I shipped almost immediately; put at the top of the list and shipped almost immediately.

(Testimony of William C. McCuistion.)

Q. You say that was arranged for you. Who arranged that for you?

A. That was arranged by Mr. Bridges.

Q. On what ship did you sail?

A. The President Garfield.

Q. And in what capacity?

A. As an ordinary seaman.

Q. And on what date was this?

A. It was in the spring of 1935. It was shortly after Mr. Bridges had gone to the hospital for an operation for perforated ulcers.

Q. Only for the purpose of refreshing your memory, Mr. McCuistion, I have here a photostatic copy of the shipping articles signed by the Dollar Steamship Lines, Inc., and this was done in the office of the U. S. Shipping Commission for the Port of San Francisco. The date here is unintelligible, your Honor. I can't read it, but it is the year 1935.

A. I know the sailing was approximately a month after I [1932] had met Bridges; approximately a month after that before the shipping permit had been arranged, and I shipped and sailed almost immediately. I couldn't recall the time exactly.

Q. It appears to be June, 1935. Is that the trip you have in mind, Mr. McCuistion?

A. Yes. It was in the early part of '35.

Q. Did you sign these shipping articles?

A. Yes, I always have to sign the articles.

Q. Does your name appear on the photostatic copy of these shipping articles?

(Testimony of William C. McCuistion.)

A. Yes, sir. My name is the third from the bottom with a line drawn through it.

Q. With a line drawn through it?

A. I went "on the beach" at Colombo, Ceylon.

Q. But you did sail on this ship? A. Yes.

Mr. Del Guercio: I will offer these for identification only.

Presiding Inspector: Mark them for identification only.

(The documents referred to were marked Government's Exhibit No. 246 for identification.)

By Mr. Del Guercio:

Q. During the time that you were connected with the Marine Workers Industrial Union, Mr. McCuistion, did you become familiar with the Waterfront Worker? [1933]

A. Yes. I read almost every copy of it. They would send in copies. Copies of it had to be sent to New York for editing by the National Bureau and the National Fraction of the Marine Workers Industrial Union.

Q. Mr. McCuistion, I will show you a copy of the Waterfront Worker for July, 1933, Volume I, No. 8, and ask you if you have ever seen this?

A. Yes. I wouldn't say that I have seen this specific one, but I have seen hundreds of them along the same line.

Q. Would you say that that was an authentic copy of the Waterfront Worker?

A. Absolutely; yes.

(Testimony of William C. McCuistion.)

Q. Issued at that time?

A. Yes. It is the same technical makeup, the same work, the same type and everything.

Mr. Del Guercio: I offer this in evidence as Government's Exhibit next in order.

Presiding Inspector: It may be received.

Mr. Del Guercio: May I ask that a photostatic copy be substituted?

Presiding Inspector: It may be so substituted.

(The document referred to was received in evidence and marked Government's Exhibit No. 247.)

GOVERNMENT'S EXHIBIT No. 247

(Cut—Waterfront Worker)

Issued By: A Group of Longshoremen With the Cooperation of the M. W. I. U.

Volume 1—No. 8 Waterfront Worker July 1933

The B. B. Must Be Smashed!
Now Is the Time!

As we pointed out in the last issue of the Waterfront Worker, in order to break the Blue Book we followed the rest of the stevedores on the Front in signing up for the ILA. A fight against the Blue Book was promised us. It was this promise that brought such a quick response from the stevedores; 4,000 signing up.

Over a month has now passed. What action has been taken by the present selfselected officials to carry out this promise? None. When the Blue Book started a drive again for dues it was evident

(Testimony of William C. McCuiston.)

Government's Exhibit No. 247—(Continued)

that a general meeting should be called and the men organized to resist to pay dues on a mass scale. This Holman and Co. did not do.

Every one on the Waterfront was eager to act. Yet in answer to the question how to meet the Blue Book drive, Holman told us to wait until men were knocked off; that he would then fight it out in court; or that he would take the Blue Book officials to the Labor Commissioner, etc. When some of us suggested that the docks be organized to stop working when the Blue Book attempted to knock any men off, Holman and the rest of the officials saw the "Red" horrors.

Stevedores were knocked off the job. They were taken to the Labor Commissioner. What was the result? According to the Daily News of Saturday the 22nd, the Labor Commissioner told the stevedores "that the Commission had no jurisdiction in the matter and that it was a case for settlement entirely between the men and the companies and probably the Recovery Act".

Stevedores, take special note of the word "probably". In the meantime, the Blue Book is getting a grip on the waterfront again. This is being made possible by Holman and Co. who are preaching passivity and inaction and by covering up this treachery to the longshoremen by crying, "Communists and fanatics" at every worker who proposes to take militant action to smash the Blue Book. They have told us to leave it to lawyers

(Testimony of William C. McCuistion.)

Government's Exhibit No. 247—(Continued)
and other Messiahs, but not to do anything ourselves.

This attempt to keep the militancy and fighting spirit of the stevedores from expressing itself in action against the Blue Book is helping the Blue Book to stage a come-back. Already stevedores are being thrown off the job and threatened and intimidated into again paying into the racket. If we want to break the Blue Book we cannot leave it to lawyers and other so-called legal means. We must act ourselves—And Now. Resistance to the Blue Book must be developed right on the docks by ourselves. The Waterfront Worker proposes that the following immediate steps be taken.

1—That the stevedores on each dock get together and elect a dock chairman.

2—That as soon as a worker is knocked off the job by the Blue Book, the Dock Chairman immediately get in touch with the Waterfront Worker, 3470 - 19th Street. The Waterfront Worker will send a speaker to the dock to mobilize the stevedores for a stoppage of work or any other action that the men themselves decide upon.

3—That at the General Meeting on Thursday we will elect no Holman men, who are paralyzing action but officials who will take a fighting stand against the Blue Book.

—oOo—

Not a Cent More to the Blue Book Racket

(Testimony of William C. McCuiston.)

Government's Exhibit No. 247—(Continued)

August 1933 Waterfront Worker Page 2
(Cut)—Under Below

"We" and the Cheeseknife
From a Correspondent

Gordon gave the incentive for the non-payment of traveling time across this bay. About two years ago he (Gordon) was a gaffer for the Klitgaard Stevedoring Co. As biscuits were hanging high there he cast about for a more lucrative billet. After tireless handshaking and backslapping and flirting his cheeseknife (A Shriners Pen or Masons Emblem) he finally hooked up on Pier #21 working coastwise vessels as a hiring boss.

On his second day in that capacity, a vessel was to work across the Bay. He (Gordon) came outside the gate where the men were at Pier #21 and said as follows: "We" (with the emphasis on the "we") "We", he again said, are not going to pay traveling time, so if you do not care to come on them conditions, we (again with emphasis) will get men in Oakland.

You May and You May Not

You may and you may not have heard of the New Company which has been formed. You surely have heard that Scarface Mike and Mr. Jensen have consolidated. But as they have formed this new company we have not been informed what name will shine first. I almost forgot. According to last months news it should, as a matter of

(Testimony of William C. McCuiston.)

Government's Exhibit No. 247—(Continued)
course; be Mr. Jensen. When Mr. Jensen has a job he falls on Mike for support. It's Mike's gang first, or a big part of that gang if there should be need. Even though he still has part of his old gang, Mike comes first.

It is too bad Mr. Jensen cannot find enough able men on the front today to have a gang of his own without having to rely on Mike and his gang. When Mike has a job he doesn't seem to know who is with Jensen; well he should—his own gang. Them two are not the only ones who have consolidated, Tomato Face & Co. And is his face red!

A slave.

August First

Editor Waterfront Worker

August 1st will mark the 19th anniversary since the outbreak of the world war, which caused the death of at least 13 million soldiers, 28 million civilians; wounded 20 million; leaving 9 million orphans, 5 million widows. The lot of the workers was greater impoverishment than ever. Hunger and disease stalks every corner of the earth.

IT IS TO EXPRESS THE UNITED DETERMINATION OF THE WORKERS THROUGHOUT THE WORLD, NEVER AGAIN TO BE DRAWN INTO A WAR FOR THE BOSSES. THAT AUGUST 1ST DEMONSTRATIONS TAKE PLACE.

The accentuation of the crisis the narrowing of the world's markets is driving the big capitalists

(Testimony of William C. McCuiston.)

Government's Exhibit No. 247—(Continued).

to the only solution they know—WAR. The relation between the United States and England are becoming ever sharper, heading towards a decisive struggle for world control. The Japanese imperialists are making a strong effort to become the predominant power on the Pacific. There is an ever-sharpening division between many European powers.

The United States imperialists are setting the pace for armaments. Every million invested here for war preparations speeds the mad race to catch up by the other powers. The peace appeals, made by Roosevelt only a few weeks ago, were only to deceive the masses, a mask, as the government is now zealously carrying out a war program greater than any in the history of the country. The complete failure of the London Conference brings war still closer.

The sincere peace proposals made by the Soviet Union were met with silence by the capitalists of all countries. In reality they try to agree for a war against the Soviet Union, hoping to open that vast territory, now in the hands of the workers, for exploitation by imperialists, in the same manner as China is now being divided.

We have nothing to gain out of such a war but more misery and poverty! Only the organized might of all of us can stop it! We must demand that all funds for war preparations should go to the unemployed; that the public works fund go

(Testimony of William C. McCuiston.)

Government's Exhibit No. 247—(Continued)
towards building homes for workers, and for similar constructive purposes.

All Out August First! Fight War!

(Signed) S. F. Conference Against War

August 19, 1933 Waterfront Worker Page 3

We will try to bring the Waterfront Worker out every two weeks. This will require more material, news, etc. Do your share. Write for the "Waterfront Worker".

3470 -19th Street

The Mail Bag

Stevedore Points Way to Break the Blue Book
Editor Waterfront Worker:

The stevedores on the San Francisco waterfront must get busy at once to protect their interests against the Blue Book.

The shipowners, afraid of the fighting mood now noticeable on the waterfront are again using the Blue Book to keep the Worker down. At an open meeting a plan of United Action must be decided upon by the rank and file of the ILA and an aggressive group of officers elected.

Lee Holman does not seem to value time at all and has been stalling off the members for days, waiting for some unknown individual from the Northwest. There are enough men on the San Francisco waterfront who are familiar with Union Labor organization and procedure without the aid of some unknown and untested outsider to add to their burdens. Men who have been black listed and

(Testimony of William C. McCuiston.)

Government's Exhibit No. 247—(Continued)

are now suffering for their stand are the victims of such methods of delay. The rank and file must come at once to the help of these men with financial and mass support and demand that they be rehired. It is up to the stevedores to see that these men are taken care of. The blacklisting of Workers and their replacement by ILA men will not encourage an aggressive spirit among the Workers.

The stevedores that have signed with the ILA have a just grievance against Lee Holman and his associates because of their dilatory tactics and time wasting methods. Lee Holman and his associates have a Pansy attitude when it comes to action, and are continually urging caution and state that they want no trouble.

The history of the Labor Movement has been one of strife and struggle. It has never been the policy of the employers to grant wage increases and better conditions without the Workers fighting for them. The Workers must learn the sad fact that there is no Santa Claus and Captain Peterson, Stein, Red Wicks, and other lickspittles of the employers most certainly will not lose any sleep fighting for better conditions for the stevedores.

The Worker must occasionally sacrifice his evening at home, listening to Amos n Andy, and go to his Union Hall to take a part in the affairs of his Union.

Get together, Workers, and remove the stigma of docility that has been applied to the American

(Testimony of William C. McCuistion.)

Government's Exhibit No. 247.—(Continued)

Workers. The meek may inherit the earth but they will more probably end up in Wollenberg's slop line.

Worker

Fellow Stevedores:

Last Monday several of us attended a meeting of the ISU. Being ex camen, we wanted to hear what old Andy Fursueth had to say. After speaking for over an hour telling us what good conditions we are going to get he wouldn't let any of us speak from the floor. One stevedore asked him about the I.S.U. cooperating with the ILA to bring about better conditions on the waterfront. He got mad and shouted; "No, never on your tintype."

Most of the stevedores remember 1916 - 19 when through the failure of the ISU we lost out. We should try to get the sailors to co-operate with us to bring about better conditions on the waterfront.

A Stevedore

Talking of the Blue Book, rumor has it that Steinberg and Scabby Peterson had to call on the law in San Pedro last week as they were nearly mobbed trying to induce the stevedores to join a Company Union.

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Waterfront Worker

August 1933

Out of the History of the ILA

(From a correspondent)

The ILA came into existence thirty five years ago, functioning first in the ports of the Great Lakes.

(Testimony of William C. McCuiston.)

Government's Exhibit No. 247—(Continued)

Daniel Keefe was its first president and, like his successors, used the organization and its affiliated bodies for his own material interest. At a convention in Detroit the delegates were standing behind Wm. Jennings Bryan running for President of the United States while Keefe with a small clique was out for Taft. Taking the floor and making a lengthy speech and not able to swing the delegates to his side Keefe took his hat and left the hall in an angry mood. When election came around Taft was elected. He called Keefe to Washington and made him Commissioner of Immigration.

At the beginning of the century the sailors and longshoremen were strong for industrial Unionism, but Andy Furuseth (The Arnehair Sailor) and Keefe of the Longshoremen fought bitterly to keep them apart.

Next in line to take up what Keefe left off was T.U.O'Connor who was a lake tugboatman. During the strikes on this coast in 1916 O'Connor came west and advised the men to go back and patch up their differences as he thought if the strike was long drawn out the locals would be looking to the International for financial support. Shortly after his trip west he also was called to Washington by Woodpile Wilson and handed a nice plum as chairman of the United States Shipping Board at twelve thousand a year which is only a secondary issue as he is the spokesman on the sale of U. S. vessels. Stevedores in this port will remember the turnover to the Dollar

(Testimony of William C. McCuistion)

Government's Exhibit No. 247—(Continued)

Company of government vessels, also Hoyt, American Hawaiian, and Matson Navigation Company.

The next un-line was Anton Chlopeck. In the 1922-23 strike in the Northwest Chlopeck came to the coast and at a large meeting took the floor and in his sonorous voice said "I will cable Sydney, Melbourne, and Brisbane, also London Barcelona and Cape Horn and see that the vessels are not discharged that were loaded in this port by strikebreakers." He did not stop them at Vancouver, less than four hundred miles away, [illegible] at the Gulf and Atlantic [illegible] which were under the ILA [illegible].

Then comes present incumbent Joseph Ryan. Ryan took it upon himself to accept a cut for the longshoremen on the east coast and the Boston contingent refused to take it. Ryan brought ILA longshoremen from Philadelphia to take their places. Ryan is receiving salaries from five different sources and if he can spare two more positions he will be on a par with Matthew Woll of the American Federation of Labor who is drawing salaries from seven different positions.

The Keefes, Chlopecks, and Ryans are not handed these juicy plums from the U. S. Chamber of Commerce and the Captain of Industry for looking out for the interests of the longshoremen. It is strange that most "Labor Leaders" manage to get nice political berths.

Big Tim Reardon is in a state job after years in the Board of Public Works. McDonald is State La-

(Testimony of William C. McCuiston.)

Government's Exhibit No. 247—(Continued)
bor Commissioner, and O'Connell and Maloney have nice jobs.

The parent body, the American Federation of Labor, of which the ILA is a part, has been in existence for over fifty years. Samuel Gompers was president for forty three years and would be there yet if Father Time hadn't interfered. Gompers' successor is an old hard coal miner who never mined enough coal to roast a bag of peanuts and he will be in the saddle until Father Time takes him out.

The A. F. of L. is always claiming that it represents Labor with a membership of less than two million while there are forty six million wage earners in this country. At its peak the A. F. L. had four million and claimed six million. In over fifty years it has had two presidents, in thirty five years the ILA has had four presidents. Wall Street only lets its presidents have eight years at the most.

This is an outline history of its 35 years of existence. It has meant a harvest for a few officials and slave conditions for thousands of stevedores.

August 1933

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WATERFRONT WORKER COMPANY OFFICIALS PUSH B. B.

Editor

Waterfront Worker.

Many here on this dock including myself did not get a copy of the last issue of the Waterfront Worker because no one was around this dock selling them and we missed getting one at the Ferry.

(Testimony of William C. McCuistion.)

Government's Exhibit No. 247—(Continued)

We hope you will give us a chance to get a paper next by sending a man down to the dock.

So far there has been no one from the Blue Book firing anyone here for not paying up, like they have done on some of the other docks, but we expect them soon. A few days ago "Mac", the big boss here told some of the fellows that they (The Seaboard Stev. Co) were sticking with the Blue Book. This is only natural as the Blue Book has always been a great help to the big officials here by reporting any man that made a kick over anything, thus getting him fired. It's up to us to quit paying any more dues, and to keep the B. B. agents from trying to collect them.

A Steel Docker.

THE OLD TIMER SAYS—

Furuseth, president of the ISU always carried on a fight against unity of longshoremen and seamen.

In 1905 the longshoremen in Eureka were striking for the right to load the steam schooners. Furuseth sent 400 members of the ISU to break the strike. Nelson and other companies were carrying double crews of ISU men to do the striking longshoremen's work.

In 1921 when the seamen wanted to call on the longshoremen for support, Furuseth said no because if they did the longshoremen would call on the seamen for support the next time they struck.

(Testimony of William C. McCuistion.)

Government's Exhibit No. 247—(Continued)

In 1918-1919 sailing ships going off-shore out of Seattle could not get men to take them out for \$90, which was the ISU scale. To get men they paid \$110 and \$120 a month. Furuseth shipped men for \$90 saying that \$120 was not the union scale.

ON THE NATIONAL RECOVERY ACT

New York, July 20. Preparing for a militant struggle against the NIRA wageslashing, the united front of the Trade Union Unity League, Conference for Progressive Labor Action, Unemployed

(NATIONAL RECOVERY ACT—

Continued from Column 1)

Councils and the A. F. of L. Committee for Unemployment Insurance has called for a national convention at Cleveland August 26 & 27.

Their manifesto urges the election of delegates from all ships, trade unions, Unemployed Councils and leagues and from every workers' economic organization for this convention.

The call points out the hypocrisy of the Recovery Act in speaking of the workers right to organize, but actually moving to abolish the right to strike and, as already proven, refusing to deal with any but boss-controlled unions and misleaders in setting wage codes for the various industries.

The united front proposes a program of struggle for (1) Immediate and substantial wage in-

(Testimony of William C. McCuiston.)

Government's Exhibit No. 247—(Continued)
 ereases in all industries and for all workers; (2) A fight against all attempts to put over wage reductions under the guise of a minimum wage program; (3) Struggle against relief cuts, evictions, foreclosures, and gas, water and light shut-offs; (4) Against forced labor camps, commissary relief plans, and for payment in cash at full union scale on all public works; and for Federal Social and Unemployment Insurance.

UNITY CONVENTION OF THE MWIU

The second National Convention of the Marine Workers Industrial Union was held in New York City July 16, 17, 18. Over 130 delegates, representing almost every port in the country and every section of the Marine Industry, took part.

Progress in all ports, particularly Baltimore, Philadelphia and the Gulf ports, was reported. Included in the work done by the convention were:

- Drawing up of fighting demand for all sections of the Marine Industry.

- Drawing up of codes for longshoremen, seamen and harbor workers.

- A program for fighting against the danger of war.

Included in the codes are demands for a decent minimum wage, unemployment insurance, and a guaranteed number of weeks work a year.

The next issue of Waterfront Worker will print codes drawn up by the 2nd Convention of MWIU.

(Testimony of William C. McCuiston.)

Government's Exhibit No. 247—(Continued)

Page —6—

August 1933

WATERFRONT WORKER THE I. L. A. MEETING

The Waterfront Worker calls on all its supporters to attend the I. L. A. meeting Thursday evening. The Labor Temple seats only about a thousand. Come early—remember that the following must be done:

a. A chairman to be elected from the floor to insure fair hearing to all.

b. The men elect their own officials—these should be stevedores well known to the men on the docks.

c. That an Executive Board of 24 to 30 be nominated and elected from the floor, its members representing the different docks.

Such a Board should be made up of trusted rank and file stevedores from the docks.

d. That this board be instructed to take care of the negotiations with the shipowners and to report to the membership. Men elected by the stevedores themselves should handle the funds and all affairs of the organization. These are not not only our interests but the interests of every other stevedore. We call on them for their cooperation and support in carrying those steps out.

For Rank and File Control.

(Testimony of William C. McCuiston.)

Government's Exhibit No. 247—(Continued)

THE I. L. A. CODE.

• The proposed ILA code contains 20 points. Most of them look allright others will stand additions and amendments. We suggest the following:

• #2 calls for straight time rate of \$1.00 an hour and \$1.50 overtime with additional rate for winch drivers etc. . . . Different rates have always acted to split the ranks of the men (San Pedro). The rate should be uniform for all except hatch bosses.

• #4 Deals with the size of gangs. There should be a minimum of 8 men in the hold discharging and 8 or more loading, according to commodity handled.

• #16 calls for the representatives of the ILA to act for the employees in all conferences. Elected rank and file committee should take part and have the deciding vote.

• #17 calls for any disputed controversy to be referred to the District Secretary, and the Executive Board. Here too an elected rank and file committee should take part and have the deciding vote.

Not included in the code is any reference to limiting the load: A deep cut in the size of the load should be included.

In general this code with the amendments and additions above included will present tolerable working conditions of the front. We call upon all

(Testimony of William C. McCuistion.)

Government's Exhibit No. 247—(Continued).
stevedores to support the above amendments at the meeting and to take a fighting stand for the realization of all the demands of the code.

NOT A CENT MORE TO THE BLUE BOOK RACKET

[Endorsed]: Filed June 2, 1942.

Mr. Del Guercio: I call the Court's attention particularly to the address of the Waterfront Worker, which appears [1934] in this issue on page three thereof. It appears as follows:

"We will try to bring the Waterfront Worker out every two weeks. This will require more material, news, et cetera. Do you share? Write for the Waterfront Worker, 3470-19th Street."

I would also like to call the Court's attention on page one to the Masthead, on which appears this:

"Issued by a group of longshoremen with the cooperation of the MWIU."

I would also like to direct the Court's attention to page two of this issue, column two, wherein appears:

"A letter from the San Francisco Conference Again War." Also on page five, column two, giving the Marine Workers Industrial Union Convention news.

I am only using it for one purpose, just for the address, and certain other matters. May we pro-

(Testimony of William C. McCuiston.)

ceed? I will introduce these two while you examine the others.

By Mr. Del Guercio:

Q. Mr. McCuiston, I will show you two more copies of the Waterfront Worker: One dated January 29, 1934; and the other dated February 12, 1934, and ask you to state if you know whether these are genuine issues of the Waterfront Worker. You can identify them?

A. Yes. These are all just about the same. They use the same type of newsprint for the mimeographed work.

Mr. Del Guercio: I will offer these two in evidence, if [1935] your Honor please in this order: The one dated January 29, 1934, first, and the other dated February 12, 1934.

Presiding Inspector: They may be received.

Mr. Del Guercio: And, I ask that we be permitted to substitute photostatic copies of each.

Presiding Inspector: Yes, the usual practice will be followed.

(The documents referred to were received in evidence and marked Government's Exhibits Nos. 248 and 249.)

(Testimony of William C. McCuiston.)

GOVERNMENT'S EXHIBIT No. 248

(Cut of Waterfront Worker Masthead.)

Price 2 Cents:

Volume II. No. 3

Jan. 29, 1934

San Francisco, California

FAKERS OPPOSE CONVENTION

The membership of all the coast locals are endorsing Rank and File action, wherever they have had a clear explanation given to them. San Pedro, San Diego, and now Everett have endorsed such a convention to be held immediately.

However, the phoney officials are playing their usual game of trying to slip us the old sellout.

Bjorklund wishes no convention Paddy. Morris wishes no convention. He tells the locals of the northwest "No convention—the district is broke". Pedro Pete" is up to his old phoney tricks; at the membership meeting at Pedro he did not dare oppose the report of the Frisco delegate, but he wired that he endorsed his Washington scabby agreement. These ILA officials are fighting the Rank and File convention because the FEAR Rank and File action.

The ship owners also fight the Rank and File Convention because they, too, fear Rank and File action. This was proven when the Pedro membership voted unanimously for united action with the Frisco Local. The ship owners answered immediately with a raise, but a raise so scaled as to split the ranks of the workers 85c for holdmen, hatch-

(Testimony of William C. McCuistion.)

Government's Exhibit No. 248—(Continued)

tenders; winch-drivers, 95c; dock men, 75c; car-gangs no raise, 55c. Bjorklund's latest move is the communication calling for a strike-vote on Feb. 5th if the code is not signed.

Such manoevers as this only lead us to defeat; we can not play with strikes. The ship-owners are prepared for a fight. We must do the same.

The Waterfront Worker Appeals to All Locals on the Coast to Endorse the Call of the San Francisco Local Callinf for a Rank and File Convention.

The Waterfront Worker is published by a group of Rank and File longshoremen—members of the I. L. A.

WATERFRONT WORKER

Page 2.

Jan. 29 1934

HATS OFF TO SECRETARY COX

At the Special meeting held, Sun. Jan. 21st, our secretary made a very militant speech, denouncing the labor fakers and calling for **SOLIDARITY** of all Pacific Coast Locals. Not only does Brother Cox make speeches condemning the fakers but he carries this idea out in practise from the looks of the letters, which have gone out in the past few days.

We want officials who stand four square for the men and to prove this by their actions in fighting for better conditions. Keep it up Bro. Cox, you're on the right road.

(Testimony of William C. McCuiston.)

Government's Exhibit No. 248—(Continued)

EDITOR SWAMPED WITH NEWS

From the number of letters received, by the Waterfront Worker this week it looks like the men realize that the Waterfront Worker is their paper. Due to lack of space some of the news will have to be held over. But don't let that stop you from writing the more letters, the better paper.

Some donations have come in but not enough to brag about. We are still using the old type-writer and having a helluva time with it. We must get it repaired if we are to continue getting out the WORKER.

Let's have the donations, boys, send in pennies, nickels, dimes or two-bit pieces, they all count. We will print all donations received with a financial statement of each issue.

Continue with the news and soon we will have a bigger sheet than the up-town papers—well if not bigger—at least BETTER, for us.

AM I SWAMPED !!

POLICY OF WATERFRONT WORKER

The WATERFRONT WORKER wants to make it clear to all workers, that the W.W. is published by a group of longshoremen, who are all members of Local 38-79. The W.W. is in no sense an official organ of the Union, controlled by the buro-cratic officialdom.

(Testimony of William C. McCuistion.)

Government's Exhibit No. 248—(Continued)

The paper is the voice of the oppressed workers crying out in pain and anger against the shout of the slave-driving bosses of "MEET THE HOOK". The worst enemies of the paper, (including The Shipowners, bosses finks and stool-pigeons) are forced to admit that the paper fills a vital need on the S. F. Front. By exposures in the W.W. many scab-loving bosses have been driven into line and kept there, some of the ILA official family has had to toe the mark and many finks tremble at each issue of the paper in fear that the W.W. had been able to uncover their past records but above all the constructive, progressive policy of the W.W. has proved to the men that the W.W. is their paper reflecting the ideas of constructive leadership.

There is rumors being circulated that the Marine Workers Industrial Union is publishing the paper; nothing is further from the truth. The M.W.I.U. has helped with news, stories and checking up on finks but the W.W. will accept help, and aid from any union, group or body as long as the assistance is constructive and progressive, yes, and criticism, too.

For further information, discussion or explanation on any point, write to 3470 - 19th St.

If any one is not in agreement with the policy of the WORKER send in your criticism, and we will discuss it in our columns. Send in your news or any donations to 3470 - 19th St. S. F.

(Testimony of William C. McCuistion.)

Government's Exhibit No. 248—(Continued)

C-A-S-H W-A-N-T-E-D ! !

How about a small piece of money for the type-writer fund ???? We have a fine used type-writer picked out, the dealer wants \$30 for it. Its a good buy and just the machine we need - - how we could pound out the news ! ! Send all cash to 3470 - 19th St.

BAY REGION CONGRESS AGAINST WAR AND FASCISM will be held at Veteran's Mem. Bldg. 1931 Center St Berkeley, 7:30 P.M.

The W.W. recommends that the ILA send a delegate to the Congress and endorse the struggle against War and Fascism.

Jan. 29 1934 Waterfront Worker

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ON THE SPOT

Boss Recruits for Blue Book.

A long-shoreman asked for a job on the Admiral Dock the other day and Little Julius told him, "to go to join the B.B. first."

GUNMAN ON THE LOOSE.

Ex-gunman of San Pedro's famous Fink Hall invades S.F. Waterfront. Description: 5 feet, 10 inches tall. Weight 190 pounds. Age 52 Gray mackinaw, gray cap. He has been sailing on Hammond Steam-schooners. He has already worked

(Testimony of William C. McCuistion.)

Government's Exhibit No. 248—(Continued) —
two days for Sun-set Gus on Sutherland as winch
driver. His name is or was LENNARD. In the
1923 Pedro strike, with gun on his hip was guard-
ing the Temple of the Ship-owners. He is a mem-
ber of the I.L.A.

THE 3 ACES OF \$ DOLLAR DOCKS \$

Have you heard of the triplets working for old
Stanley Dollar\$\$ They sing-dance-or yodel, "The
BB for me."

"Anarchist" Brown, Mr. Coleman, and Russian
Louie, these 3 mugs haven't lost faith in the BB,
yet Something like the old maid, who looked under
the bed every night expecting to find a MAN but
it was always the same old story—nothing—noth-
ing but cobwebs and a musty smell.

Russian Louie should be wised up enough to
know that workers mean business when they
ORGANIZE.

Look what his country-men did to the parasites,
who were sucking the life-blood of the masses, in
Russia. We have a hunch on what side the 3
Aces are \$\$\$\$\$\$\$

Editor Waterfront Worker:

I have a few lines here which I'd like you to get
in your next paper. Sure like your little paper.
will donate when ever I can afford it. Hope you'll
be able to read my writing.

I remain yours truly
A Stevedore

(Testimony of William C. McCuistion.)

Government's Exhibit No. 248—(Continued)

COLLEGE BOYS REPLACE ILA MEN

3 U. of Calif. men, have been working on the Matson Dock for the past 2 weeks. The ILA delegates have protested to the dock officials and they were told nothing could be done as the boys were sent down through the office. Of course we have nothing against the boys earning a living but there is paid up ILA men with families who depend solely on stevedoring for a livelihood and these members are walking the Front looking for work.

We must remember that college students were used to help break the 1919 strike and now is the time for us, stevedores, to take steps to see that such a thing is not repeated.

Another protest should be made and if no action is taken, the entire dock should walkout and stay out, until those fellows are taken off the job. If the bosses are allowed to get away with this it will only be a question of time when they will try bigger things.

POLICE STOP ILA SPEAKER

On Sat. Jan. 20, the police stopped, the International organizer from speaking on the street.

This may appear to be a small matter to many stevedores, but on the contrary, this little incident has a deeper meaning than what appears on the surface.

In the program of the Frisco longshoremen, the

(Testimony of William C. McCuistion.)

Government's Exhibit No. 248—(Continued)

shipowners can see opposition to their slave-code of 50 cent an hour minimum, to the intense speed-up and the general miserable conditions up and down the coast. They can also see the beginning of a Rank and File movement that is shaking the ILA bureaucrats loose from their moorings, they are also aware of the fight that is being waged for the demands of \$1 an hour, \$1.50 overtime, 6 hour day 30 hour week and Union recognition. Above all they know that the Frisco Local is leading the fight.

It is our right to speak on the street at any time. We laughed when the "Reds" were chased off the Front but now it is another story — our speakers were denied the right to speak. What are we going to do about it. The WATERFRONT WORKER recommends that the morning street meetings be resumed and that a determined fight be waged to hold such meetings despite any and all police interference.

WATERFRONT WORKER

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Pedro's Election Victory

On the recent trip of our delegates to Pedro, one of them stayed over and visited the Fink-Hall. The Pedro Fink-Hall, as we all know, is where the Pedro stevedores get their jobs.

The Frisco delegate had quite a group around him.

(Testimony of William C. McCuiston.)

Government's Exhibit No. 248—(Continued)

One of "Red" Hynes men came in, one of those babies with a black jack in each pocket and whose chief pleasure is cutting a young girls breasts with a razor blade and injecting salt into the outs—a swell pal for degenerate Hitler. Hull the Pedro delegate informed our delegate to hush up as one of the Red squad had his eye on him. Well our del did not shut up but talked louder and won the respect of the stevedores present.

The Fink-Hall and the Pedro Red squad can be crushed, IF the rank and file get together and kicks out the phoney officials, who do nothing but peter and patter between the Fink Hall and the government agents.

Rank and File of Pedro Organize, adopt a constructive program, follow the lead of the Frisco Local and soon we will have ILA recognition for the West coast—and ILA hiring halls—Not Fink halls and Red squads.

* * * * *

ILA Versus Swastika

Because "Bloody Hitler's" ships dock at Pier 15 is no reason why the regular steam-schooner gangs shouldn't be wearing the green buttons. Hitler abolished all trade unions when he came into power; many strong and courageous labor leaders were killed and sent to concentration camps because they dared to stand up and fight for their rights - the right to organize.

(Testimony of William C. McCuistion.)

Government's Exhibit No. 248—(Continued)

In America our trade unions are not abolished yet, so to protect them and ourselves at the same time, lets line up and sign up. Soon, we are going to need a 100 per cent organization, here, on the waterfront. Lets organize - and prepare NOW.

Swat the Swastika !!

Dear Editor:

I just put in two days on the "S.S. Point Sur" for McCormick, loading cement. If we had been working to save our lives we could not have worked harder.

Every hour or so some one had to quit because the hard slaving work coupled with the dust and abuse of the bosses was too much to stand. Five men passed out altogether being barely able to walk or talk.

The five gangs on the ship hoisted 5000 tons in two days. This terrific speed was made possible by slinging 38 sacks to the load, and by the bosses keeping a watchful eye on us all. If a man slacked for an instant or was the least bit slow getting away with the sacks, he was at once asked, "What's the matter with you? Can't you stand the pace?" "We only had light men in the hold, and one thing I'm sure of is this. I'll starve before I'll work another cement ship for the McCormick."

* * * * *

News From Other Ports

Boston, Mass. Jan. 18th 1934 Longshoremen or-

(Testimony of William C. McCuiston.)

Government's Exhibit No. 248—(Continued)

ganized in the I.L.A. are today rallying their forces to prevent a sellout of their meal hour strike, by Ryan their president. These longshoremen have been striking on the job for the past two months, refusing to work the meal hour until they are paid the old double time rate which was taken away from them through the treachery of Ryan. As a result of their action many passenger ships in order to maintain their schedule have been pulling out with as much as a third of the cargo still on the dock. The shipowners have tried all kinds of tactics to split the ranks of the lonshorement with out success. Attempts have been made to break their ranks by offering individual gangs the double time rate to work certain particular ships. These attempts have failed, largely because of the strong opposition movement in Local 800 - which is leading the revolt against Ryan and his officials. Local 800 has gone so far as to oust the entire leadership, president, executive committee, - and all. The pressure of the rank and file has forced the officials to call a meeting of all three locals tonight.

2606

Harry Bridges vs.

(Testimony of William C. McCuistion.)

Government's Exhibit No. 248—(Continued)

January 29, 1934

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WATERFRONT WORKER**Financial Report**

From Jan. 2nd to Jan 15th.

Income.

Sales	\$15.60
Donations	3.50
Balance	4.25
<hr/>	
Total	23.80

Expenses

Paper	\$ 3.20
Ink60
Mailing85
Stylist50
Stencils	4.00
Selling	1.60
Steno.	1.00
Extra Edition Jan. 6th	1.50
Misc. & Carfare	1.25
<hr/>	
Total	14.50
Income	23.50
Expenses	14.50
<hr/>	
Balance	9.25

ATTENTION STEVEDORES

It has come to the attention of the Waterfront

(Testimony of William C. McCuistion.)

Government's Exhibit No. 248—(Continued)

Worker group that some of the stevedores are under the impression that this paper is conducted for the purpose of slandering anyone who we are not in sympathy with. This is not true. We check up on all news coming in and try to avoid any mistakes. We are working for the sole interest of a better union and not for any individual, who is trying to get even with his enemy at our expense. We are always willing to rectify any error that is made on our part. On the other hand, we are bound to make enemies, we will continue to expose any faker who is out to feather his own nest.

Waterfront Worker Group

Wake up, Delegates!

Editor:

Sir, what are the reasons you never see the walking delegates from the ILA around the McCormick or Nelson docks on Sat. which is a very busy day??

All the hiring is done by Olsen on the McCormick dock, and by Hansen on the Nelson dock. What are the reasons bona fide longshoremen are left standing, looking on, and the hiring bosses are hiring men from the CWA to their own knowledge, also a bandh of kids, what don't know what it is all about. I guess they are recruiting for a bunch of scabs in case of a strike.

I am, Sir, a Longshoreman and War Veteran.

(Testimony of William C. McCuistion.)

Government's Exhibit No. 248—(Continued)

To Happy Hinz, Foreman, Ass. T.Co

Bald-headed Happy Hinz,

As a boss you are the Jinks.

Still trustee of the B.B. Clan

Backing up the Fink-Hall's plan.

Why do you waste your single-track mind

Knocking the ILA in favor of Bryan.

Get rid of your mental constipation,

Act like a man, for the organization.

As a member of the German Forester Verein

You have nothing in common with delegate Stein.

Here is hoping these few lines

Work in your mind like Christian Science.

THE WATERFRONT BARD

(Son of Edgar Allan Poop)

Matson Man says PAYUP LUCKENBACK

Editor, Waterfront Worker:

•I have worked for the Matson Co. many years now. We sure hit the ball—boy, we move the cargo. Do the bosses, sub-bosses yell, push and drive us?? Are you asking me But I must say, the boys are all lined up in the ILA, wearing green buttons and ready for action, but what I can't understand is, why do the ILA delegates spend a lot of time around a dock where the men are already paid up??

Why don't the delegates concentrate on the Dollar docks, where you never see a green button except on an outside gang??? Or over on the Luckenback,



(Testimony of William C. McCuiston.)

Government's Exhibit No. 248—(Continued).

where the color is not green but blue. These Lucken-
back and Dollar Line stevedores should be lined
up—what about some action on these docks, dele-
gates??? You don't need to come around the
Matson so often—we know what you look like.

Just a Pineapple Man from Matson

GREETINGS

Greetings to new 8-page Waterfront Worker,

W.J. 50 cents

F.K. 50 cents

G.J. 50 cents

H.M. 25 cents

The Waterfront Worker is published by Rank
and File stevedores in Local 38—79

Send all congratulations and criticisms to 3470-
19th St. S.F.

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Jan. 29 1934

WATERFRONT WORKER

The New Waterfront Worker Is Going to Need
More Money. If You Think the Waterfront Worker
Is Worth Supporting, Send in Donations to 3470-
19th Street, San Francisco.

Editor Waterfront Worker:

Alas, the women of our hard working stevedore
husbands are really being allowed the privileges to
voice our opinion on some of the facts that are
beyond a doubt, to be openly viewed when the

(Testimony of William C. McCuistion.)

Government's Exhibit No. 248—(Continued)
proper time comes. Why not urge that time now,
just around the corner.

We, wives, have debated with ourselves often, and are still wondering, why, with such a group of capable, and sound thinking men as the ILA, that these men should be at a stage right now, where the B.B. and its doggy bones should be called.

The ILA can and will come to the front, only when all the men realize that they must stick together and push. Come out to the meeting and voice your opinions or suggestions. It may be just what the Union needs as that extra or other support.

Too bad, I have been a woman. I've often wanted to don a pair of jeans and mens clothing—just to get a little more “dope” on some of the radicals of the B.B. Union. (If it must be called a union—too bad.)

Pep up the ILA meetings and put all you have into them... PUSH... Concern yourself... Make it your business ILA members and give it a B-I-G P-U-S-H !!

THE MAIL BAG EMIL FLATFOOT

Editor Waterfront Worker:

The slave driver on Pier 39—wants plenty of speed. A couple of weeks ago he sent his own brother-in-law to the Hospital with a broken leg—Speed—Speed. Now that there is not so much profit in handling booze from the ships—maybe

(Testimony of William C. McCuiston.)

Government's Exhibit No. 248—(Continued)

somebody is getting wise to the carrying off of dead-men.

Mr. Sorensen, our mighty boss, don't make any extra money, he is a share-holder in the Stevedore Co. which makes him a extra-special good slave driver. The straw-bosses are so scared of him, that when he gives them one dirty look, they have to go to the toilet, some of them even carry toilet paper with them in their pockets for that purpose. Flat-foot, sure is a smart man—when it comes to whiskey.

(continued from Page 6, col. 1)

In closing let me compliment the Waterfront Worker for it's pros and cons on all subjects. Space is no object, when it comes to such letters as "A. H. Peterson of Pedro, Jan. 15 issue. Great Rebut:

Sincerely,

An I.L.A. Stevedore's Wife

Jan. 29 1934

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WATERFRONT WORKER FLAT-FOOT GUS—THE SADIST

Waterfront Worker:

I am surprised that you have not heard anything of Gus Kutschel (Tanglefoot Gus) walking boss on Pier 28.

Now Gus is great for safety, about once a week he comes with a letter signed by Capt. Ludlow, all

(Testimony of William C. McCuistion.)

Government's Exhibit No. 248—(Continued).

about safety but observing safety is a horse of another color. If the bosses dont obey the safety rules, how do they expect the men to obey them. Now, the winchdriver is not supposed to hang a load over the men working in the square of the hatch, well, just listen to that man, Gys, holler "Come In With It" while there are two loads landed in one section and the men are flooring off. Safety rules dont mean anything if he can cheat the men out of a half hour's pay I wonder if he would like to work and have a load (very seldom less than 2 ton) hanging over his head. When it comes to putting on hatch covers, he stands over the hatch-combing and hollers and shouts and makes the men feel very uneasy. Also forgetting, no; I dont think he is forgetting, because I believe the man gets a sadistic pleasure out of the men's discomfort. I think he really enjoys to see the men running forward and back and dont know where they are going.

Of course he does not believe in making it easy for the boys; trimming the gear in place, why, we lose time doing it. I have actually seen him standing over the men and shouting, "Work faster, what's the matter with you?" And the men working as fast as any human being could work but still trying to work faster. I wonder when the men will come to their senses??

Oh, I have almost forgotten, some day, when a ship is finishing off, you ought to watch him, when

(Testimony of William C. McCuistion.)

Government's Exhibit No. 248—(Continued)

it gets on the half hour. See him driving up the dock gang. If you have any kind of imagination just think of the African slaves with an over-seer cracking his whip over their heads.

Now Gus can be playful at times. Oh Yes, he can be very playful, when he has his pets around he sneaks up behind and pulls the poor fellow's hair or kicks them in the back. But he gets the greatest pleasure out of sticking a pin up a man's back-side. Well—I always thought he was a sadist anyhow.

By One of the Slaves from Pier 28

P. S: Please don't print this if you doubt my word. Ask the boys—on Pier 28

Editor's Note:

To Slave from Pier 28

Mr. Tanglefoot Gus can be stopped from carrying on such practises against the men. We, stevedores work on the docks in order to earn money to keep our-selves and family and not to be used by some simple-minded boss as his play-toy.

How can we stop such a half-baked fool from driving us mad??

1) We must draw up a set of ILA working rules in the union and furthermore see to it that they are enforced.

2) These working-rules can be enforced by having dock committees on each dock.

The time has come, when we as workers must stand up and demand our rights. We joined the

(Testimony of William C. McCuistion.)

Government's Exhibit No. 248—(Continued)

ILA ~~because we thought it was~~ a real union, for 7 long months, the officials have dilly-dallied around and did nothing, now is the time for the Rank and File to demand **ACTION AND GET IT!**

All-ILA members attend your Union Meeting. The next meeting will be held in Building Trades Temple on Monday night, Jan. 29. Attend and bring your partner.

* * * * *

FINANCIAL AID

We acknowledge with a small donation the help and assistance the "Little Paper" has been to us. Keep up your good work.

X.X.	50c
K.H.	50c
L.H.	50c

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Jan. 29, 1934

WATERFRONT WORKER

GOOD NEWS PAGE EVERETT

Editor Waterfront Worker:

Just a few lines to let you know that we are progressing since our last regular ILA meeting. We read a communication from the the Frisco Local in regards to calling a Rank and File convention. This proposition was endorsed and a telegram was sent to the Frisco Local also the the District office. Also any delegates from Frisco will be received with cordiality and welcome. At

(Testimony of William C. McCuiston.)

Government's Exhibit No. 248—(Continued)

the present time, we have trouble coming up with the stevedore companies; they want to do away with Alphabetic list system and to inaugurate a gang system. We made a motion that we would talk to the stevedore co. when they would talk closed shop. The reason that the Rank and File convention was not endorsed was because the manner in which the letter from Frisco was written. The letter called for the election of a new executive board and the opponents of this motion used this in order to stop the passing of the motion; the chief provision seemed to call for a new executive board. Paddy Morriss attended one of our meetings and he certainly is opposed to the calling of the Rank and File convention, he claims that the District is broke and we shouldn't go the expense of electing a new executive board.

Yours

For a Rank and File Convention.

A Rank & Filer from Everett.

Editor's Note:

This letter proves the contention of the rank and file, that the bureaucratic officials are out to feather their own nests at the expense of the membership. It also proves, as soon as an intelligent explanation is made of why a Rank and File convention should be held immediately, the membership will support such actions 100 per cent.

(Testimony of William C. McCuiston.)

Government's Exhibit No. 248—(Continued)
Norfolk Va.

"Out with Miller and Alston" is one of the main slogans of the rank and file membership in this port. These officials, henchmen of Jos. P. Ryan sabotaged the move of their membership to present a real dockers code at the recent N.R.A. Hearings in Washington. Norfolk locals are preparing to circulate petitions in all North Atlantic ports calling for support in their fight to oust these corrupt officials.

(continued from Page 8—col. 2)

more tonnage—less pay—higher rake off from men. Firing & blacklisting to those demanding better condition. (From N. Y. Shape Up News)

ATTEND YOUR UNION MEETING

At the special meeting held on Sunday, Jan. 21, only 450 member showed up. The quorum for a special meeting is 1000 therefore we could not take any immediate action on the questions with which we were confronted. All we could do was to draw up a plan of action and submit it to the next membership meeting for ratification. This was done.

Boys, we must face facts, for months on the Front, the cry has been "we want action." The officials were charged with inactivity and rightfully so but times have changed. Now, the officials are lined up with the Rank and File and, where is the support? We have a definite plan of action—Unity of the Pacific Coast behind a Fighting Program. This program must be put into effect at

(Testimony of William C. McCuiston.)

Government's Exhibit No. 248—(Continued)

once, despite the orders from Pres. Ryan that we shouldnt do anything until the code is signed. In this way we may be able to prevent the code bein. signed with out any of us even knowing what is in it.

* * * * *

The W.W. has heard the rumors that some of the worst slave driving bosses on the front, Russian Louie for example, thinks it helps him with the ship owners to have the W.W. publish the fact that he is their efficient tool. Aint that nice!

The shipowners do not need to be told who their best men are. They already know from the actions of these different bosses & are ready to dump them as soon as they can get one that will give them bigger loads with less men. Look at Bob Nelson, after all the money poor old Bob saved Steel Dock. How ever the W. W. certainly thinks that most of the bosses on the front would sooner take a chance on getting a little less work than more W.W. publicity.

* * * * *

DECASUALIZATION IN NEW YORK

Longshoremen were all promised steady jobs if this scheme went thru. Many of us gladly went to registration booths.

Now that the scheme is put thru gangs are made up in foremen's homes or if you pay enough they send in a call for you at the government Fink Hall. At the U.S. Lines led by the Rank and File Action Committee, Harry the Boss Stevedore was forced

(Testimony of William C. McCuistion.)

Government's Exhibit No. 248—(Continued)

to shape his men and pick his gangs due to the protests of the men. We say all is not gold that glitters—look out for the shipowners six bit words which translated in everyday language, means

[Endorsed]: Filed June 2, 1942.

GOVERNMENT'S EXHIBIT No. 249

Waterfront Worker Price 2 Cents (Cut)
Volume 11 No. 4 Waterfront Worker Feb. 12, 1934

Ryan Betrays Coast

At the final Code Hearings held in Wash., on Jan. 29th, Ryan appeared as the representative of the ILA. In his recommendations for the revised Shipowners code he failed to bring up the demands of the men, of \$1.00 an hr. \$1.50 overtime, 6 hour day, hiring from ILA halls, the repudiation of the B.B. nor did he object to compulsory arbitration or to "de-casualization", which according to the Dep't. of Labor experts, will throw 50,000 longshoremen out of work.

Due to pressure exerted on Ryan, led by the Fris co Local, he was forced to raise the minimum scale to 90c for the West Coast. However, Ryan is still up to his old tricks; as he has agreed with Administrator Weaver, to hold secret conferences to settle the final Code. For 9 months, the men have been promised better working conditions under a NRA code, Have

(Testimony of William C. McCuiston.)

Government's Exhibit No. 249—(Continued.)

been patiently awaiting for the code to come, the shipowners have been stirred to feverish activity, preparing for trouble.

In Seattle, an attempt to hire longshoremen for 45 cents an hr was defeated by joint action of seamen, the Marine Workers Industrial Union, Teamsters and Rank & File members of the ILA.

In Frisco, the ship-owners are hard at work to split the unity of the men by a staggered wage-scale, for instance, on the Bananna docks the scale is 85-60 & 50 cents an hour, the Sugar House pays truckers 65c, the Encinal Terminal in Alameda pays 60-65 cents. Another angle of the shipowners is the recent attempt to recruit negroes into the B.B. also the hiring of college boys on various docks & the most infamous of all is the use of stool-pigeons in the ranks of the ILA (one of these . . . rats was just exposed thru the efforts of the Waterfront Worker)

Notice

New Address of the Waterfront Worker

P. O. Box 1158

San Francisco, California . . .

Page 2 Waterfront Worker Feb. 12, 1934

In San Pedro, the shipowners drove a disruptive wedge into the ranks of the workers, when they put over the recent wage increase so scaled, from 60 to 95c that the basis is laid to further disorganize the workers. The Fink-Hall signing the agreement with the shipowners proves the hollowness of the

(Testimony of William C. McCuiston:).

Government's Exhibit No. 249—(Continued.)

Pedroelection victory, the ILA won, 97% to a measly 3%, yet the Fink-Hall signs the working agreement. The stevedores on the Coast have only one course to follow and that is to Unite the Coast for Concerted Action, in preparation for the coming struggles. We have seen the maneuvers of the District officials to head off the Rank and File Convention. But these maneuvers are being spiked because the membership are fast awakening to the facts, that the Rank and File must take a more active part in the affairs of the Union if they are not to be Sold Out.

Reports, on the bullitin board, from the delegates up north, state that the membership of the northwest after hearing the true accounts of the code hearings and the Portland convention are solidly behind a Rank and File Convention.

Solidify the Coast.

For a Rank and File Convention.

For Unity. For Solidarity.

Yoo-Hoo Po-ett-s

Ye Waterfront Bard is in one of those terrible moods again . . . he wont write a thing. How about some one to take his place-poems songs,odes,lyrics accepted—no question asked????

New Address of Waterfront Worker P. O. Box 1158

Editor Waterfront Worker:

I am a constant reader of the WW and by cheif regret is that the Teamsters do not have a paper-like that.

(Testimony of William C. McCuiston.)

Government's Exhibit No. 249—(Continued.)

I can see the stevedores of the Coast are being lined up behind the program of the Waterfront Worker, which is great but I have a kick to make and that is, nothing is being done to get the support of the Teamsters.

We workers of all crafts must stick together, already on the Admiral docks, the teamsters are unloading directly onto platform which can be slung aboard ships. So you see the Bosses are preparing to use the Teamsters as scabs against the stevedores.

Well, I for one will Not Scab—me for Solidarity.

Sincerely

A Fighting Teamster.

Steps Taken to Improve W.W.

No doubt every one has noticed the difference in the paper used in this issue of the Waterfront Worker. We have found that we can purchase this regular mimeograph paper at only a slightly higher cost than the old newsprint we had been using.

We want to improve the technical work of the W.W. as much as it is possible but we need the help of every stevedore and swamper on the beach to do this. You should send in news & items concerning the day to day activity on all docks.

In several letters, the question has been raised for a printed W.W. and to charge 5 cents. a copy. What do you think of the idea?? Due to various reasons we have been compelled to change our mailing address, here after our address will be

P. O. Box 1158

(Testimony of William C. McCuistion.)

Government's Exhibit No. 249—(Continued.)

Send in your news and criticism to the new P.O. address. Swamp the editor with news, jokes, poems "On the Spot items".

The donations for the typewriter are coming in pretty slow & the dealer is beginning to mean about his payments, so lets dig boys before it is too late. Kick in with something, if it is only a dime. We need the cash and the news. Let's go.

* * * * *

The latest dope on the Front is that some of the rank & File members in the ILA got good & sick of sitting around and waiting for the officials to act, so they thought of getting together themselves by meeting every so often to talk things over & force some action in the Union. The W.W. is glad to see that the Rank and File in the ILA are not all asleep and hopes that the good work goes on, also—that this progressive bunch of members get in touch with

The Waterfront Worker..

Feb 12, 1934

Waterfront Worker

Page 3

On the Spot (Cut)

WHO IS HE???

Gambler?? Sheik?? Scab-Herder?? Well-dressed man, with brown suit tan shoes, light cap and a blue shirt with dark blue tie, was recognized as a guy, who in the Fisherman's Strike of 1924 tried to get sailors to scab. This scab-herder is about 5 feet 6 in. tall, sallow complexion, a thin face, high cheek bones and weigh about 135 pounds. He is generally found in the ILA hall dressed up and gambling. He used

(Testimony of William C. McCuiston.)

Government's Exhibit No. 249—(Continued.)

to prospect the beach but now evidently does not need to look for work. If you have any further information on this character get in touch immediately with the Waterfront Worker.

P.O.Box 1158

Another Trip for Kulberg

Captain Blaine wants Kulberg to return to Stockton. He wants the organizer to OK the discharge slip of the boys who can not cut the buck. Charges are inefficiency and being members of the ILA

What's Doing Dog Face??

Not content with being a gang-boss and a walking boss "Dog-Face" Nelson was seen driving a load of gear down to Pier 50 on Monday Jan. 29. Besides doing a regular Jitney driver out of a job, Nelson is probably locking-into the future??

Let's Take a Huff and puff

With the I.L.A.

And Blow the Likes of Dog-Face into the Bay.

\$50 FEE——For What????

How is it that Melinko recieved another \$50 fee for Labor Advise??? Didn't we get enough of that guy when he represented us at the Code Hearings??? Maybe it is for the sharp attack he led against the Blue Book?????

Know Thyself Pie-Card Artists

Many local pie-cards are spreading the word around

(Testimony of William C. McCuistion.)

Government's Exhibit No. 249—(Continued.)

that the Rank and File Convention is being fostered by a clique.

These pie-card artists see the hand-writing on the wall—they must either produce or step out of the picture.

And they know—they can not cut the buck.

Its in the Minutes

The stenographers hired to take the minutes of the Rank and File Convention are to be tried out be delegate #1. This will be done so no bum steno will be slipped over on the boys & there will be no chance for 2 sets of minutes.

Change of Address

New Address

Waterfront Worker

P. O. Box 1158

San Francisco, Calif.

Stools Wanted

Wanted:

Young, old, or middle-aged persons to be trained as stool pigeons. Preference shown to persons, who have had legal training or can use technical or legal phrases in speaking. Highest regard given to recommendations—from Fink-Hall. Experience as B. B. delegate or Fink-Hall runner given head of list. Lack of previous training no handicap, each applicant given 6 months course on "How to be 1st class Fink & Policy spy," under the direct supervision of Scabby Peterson.

All applications to be filed, with "The Kid," any morning at the shake-up between Mission and Market on the Embarcadero.

(Testimony of William C. McCuiston.)

Government's Exhibit No. 249—(Continued.)

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Feb. 12, 1934

Waterfront Worker

KULBERG'S FIXING IN STOCKTON

Editor Waterfront Worker:

Dear Friend:

These are some of the facts, which you might want for publication.

The Stockton ILA was organized some time in November, with a man named Baker as the leader. Today, there is an approximately 75 members, with an average attendance at the weekly meetings between 25-35. No sooner did the workers join up than they lost their jobs. Soon after this Mr. Kulberg visited Stockton; he promised the ILA members that they would soon be working and have complete control of all dock labor. He also stated, that if it were absolutely necessary the Frisco Local would refuse to work all Boats worked at Stockton using non-union labor.

Mr. Kulberg arranged a meeting with Mr. Blaine and Mr. Creel. He asked, why are the Union members being discriminated against? Mr. Blaine answered, that he had not been informed of the existence of a Union. Kulberg then arranged for the members of the Union to meet Mr. Blaine.

At this meeting, the members, who had been discriminated against, were called into Mr. Blaine's office one by one & asked point blank, if they had

(Testimony of William C. McCuistion.)

Government's Exhibit No. 249—(Continued.)
been discriminated against, since they joined the ILA? Mr. Blaine used some reason against each 1 of us, such as, inefficiency or incompetence. Mr. Kulberg only succeeded in making fools out of the Union members. He then suggested, that we try to get the other dockworkers to join the Union. This is impossible, as the others workers see that they would only lose their jobs by going I. L. A.

At present the Stockton ILA is an unemployed organization with the secretary always hollering for dues.

Only two Boats use ILA men. This work is not rotated, pay is 60 cents an hour. Mr. Blaine pays 65c and 75c. He hires about 10 Union men at the dock, about 70 men work the Ship so you see that makes 1 ILA man to 7 non-ILA.

The other day someone was passing out copies of Waterfront Worker in our ILA hall our secretary Keyes made a remark to this effect, "Get that old junk out of here." Now this seems to me as a very poor attitude for him to take towards a sympathizing paper.

Sincerely

An ILA member, who has been discriminated against in Stockton.

ANOTHER MISLEADER EXPOSED

Evidently all misleaders of the workers do not operate the same. At one of our recent meetings, the Int. Organizer gave a militant speech, informing the

(Testimony of William C. McCuiston.)

Government's Exhibit No. 249—(Continued.)

I. L. A. members that we must use force to stop the discrimination of the ILA members in the Port of Stockton. The members of Local 38-79 voted unanimously to refuse to work ships loaded by non-ILA. Mr. Kulberg arranged a meeting with Capt. Blaine in Stockton. The sincere and honest workers, with the utmost confidence in the organizer and the ILA, braved future discrimination and terror by appearing before Capt. Blaine and charged him with denying ILA men the right to work.

The organizer did not protect the ILA members but on the contrary sided with the bosses and the bosses's agents, that "the men were inefficient.

To further insult the ILA members Kulberg told them, "to go & get the workers who took your jobs to join the Union."

Then Mr. Kulberg being the smart guy met with Mr. Allen of the Stockton Chamber of Commerce & Mr. Crooks of the Labor Council and promised to endorse the Port Bonds. The Port Bonds is the scheme of a bunch of real-estate sharks to unload some mud-flats onto the State at a nice piece-of-graft for themselves. Mr. Alvin Kulberg tells the ILA Local to endorse the Bonds, if the Bonds pass you all go back to work Smart guy, Alvin.

This sell-out does not discourage the membership nor do we have any illusions about certain of OUR officials but on the contrary we will fight all the harder to build the ILA into a Real Union with Honest and Sincere workers in the leadership.

(Testimony of William C. McCuistion.)

Government's Exhibit No. 249—(Continued.)

The Waterfront Worker pledges itself to carry on the fight until all crooked officials are driven out of the Union and the ILA is a Real Union with Rank and File Control.

Feb. 12, 1934

Waterfront Worker

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Fink Boyce Exposed

An agent of Scabby Petersen's has been uncovered in the ranks of the stevedores. A human rat, the lowest and foulest of all creatures has been found gnawing and burrowing within the ILA.

This rat was recognized by a stevedore, who formerly worked as a seaman.

In 1930 Fink Boyce came aboard the Steam Schooner Davenport, in Oakland, to check up for the Fink Hall. Captain Nelson refused the Fink the right to brow-beat the sailors and he kicked Mr. Boyce off the ship. When the Schooner docked in Frisco, the rat again came aboard, intent on doing his rotten work but the Captain again showed his Solidarity with the sailors by kicking off the Fink Hall's agent. And to guard against a further invasion of rats, Captain Nelson ordered rat guards put up on all dock lines. (continued next column) Captain Nelson was fired for his action, he was fired for kicking a dirty rat off his ship.

Later when Boyce went aboard the Schooner Tiverton to check the Fink-books, he threatened a sailor who would not take out a book that he would fix him the same as he did Captain Nelson—with the

(Testimony of William C. McCuiston.)

Government's Exhibit No. 249—(Continued.)

axe. He forced the sailor to take out a Fink-Book.

Brothers; this is the kind of rat we have in our organization and he tries to justify his Fink record with the whining excuse, "I did it to eat, because I made a mistake in the past it is no reason why I should suffer now." Let us say Mr. Boyce, there is hundreds of good men being kept on the Beach, by that dirty, lousy Fink-Hall. And Mr. Boyce, you are part and Parcel of the whole rotten, stinking system.

Seram!

Fink!

Seram!!

Famous Last Words.

You haven't got a Fink-Book, you want stamped, have you, Boyce??

Vacation—For Whom??

How's your health, Lee??? Do you think you could stand an-other short rest among the nudists?? No fog nor damp, wet breezes up there. Toodle-oo. I'll be seein you.

The Laugh of the Month

Captain Blaine supported by Our Organizer, Alvin Kulberg, charge the old Steam Schooner sailors in the Port of Stockton, of not being efficient stevedores.

Those guys were born with a cargo hook in their pockets.

Come—Come—Alvin—No Sell out

2630

Harry Bridges vs.

(Testimony of William C. McCuistion.)

Government's Exhibit No. 249—(Continued.)

Financial Report, Jan. 15 to Feb.

Sales\$16.10

Balance\$ 9.25

Total\$25.35

Expenses

Paper\$ 3.60

Selling\$ 1.75

Mailing\$.75

Leptyne\$.50

Miscellaneous\$ 1.00

Carfare\$.60

Ink\$.65

Total\$ 8.85

Income\$25.35

Expenses\$ 8.85

Balance\$16.50

Write Now

New Address of Waterfront Worker.

P. O. Box LL58

Write Now!!!!

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Waterfront Worker

Feb. 12, 1934

The New Eight-Page Waterfront Workers Is Going to Need More Money. If You Think the Waterfront Worker Is Worth Supporting, Send in Donations to P. O. Box 1158 San Francisco, Calif.

(Testimony of William C. McCuistion.)

Government's Exhibit No. 249—(Continued.)

Conductor Says "Organize"

Editor Waterfront Worker:

The undersigned is a conductor on the Market St. Railway, I am much interested in your little WW I used to be a longshoreman about 4 years ago I left the Front to take this job.

My work is not nearly so hard—as that of you, longshoremen but we do put in disgraceful long hrs. We get up at 3:30 A.M. to go out on a run.

Some years ago, I remember the longshoremen lost a strike because they asked too much, i.e. about 60% of the shipowners' profit. They could never stand for that, the stevedores were considered crazy to even make such outrageous demands.

In contrast to this the Mkt. St. Railway is going to pay its employees 55% of the profits. We have been informed that, when and if profits are made, this will amount an hourly increase of 2c. What an enormous increase, when the cost of living has gone up nearly 20% in the last 6 months.

Of course, I now realize this whole move was nothing but a clever and successful move to break-up our new Union. So my advice to you longshoremen is to stick to your program and never listen to any phoney proposals made by your employers.

Yours for a 100% ILA Waterfront.

An Ex-Stevedore.

* * * * *

(Testimony of William C. McCuistion.)

Government's Exhibit No. 249—(Continued.)

Editor Waterfront Worker:

Dear Sir:

As conditions are getting so rotten on Pier 39, where I work, I only have one way to express myself & that is through the Waterfront Worker. All stevedores are anxious to read your fine little paper. They would gladly pay a nickel a copy for it. You hear lots of them say so. So please print my article in the first paper out.

When work picks up, I'll remember you.

I remain yours truly

A Stevedore

Wanted——News

News Wanted for Waterfront Worker. Send Dock news, poems, "dope" for On the Spot to P.O. Box 1158.

Rush——Hurry

The Mail Bag

Who's Afraid of the Big Bad Boss

On Pier 39, things are getting pretty bad, Mr. Horseman hasn't got a new car yet this year. Mr. Sorensen, the walker, is really worried about it. He, himself has a few dollars \$ invested in the "outfit" & he is chasing the poor straw bosses up and down the docks trying to make a profit.

Cook is about to be sent to a sanatorium, his nerves is giving out. The big boss is riding him soooooo hard, & at the same time doing work for 2, only small hope is held for his recovery.

(Testimony of William C. McCuistion.)

Government's Exhibit No. 249—(Continued.)

Norman of course is getting a break by having Long Emil's brother-in-law in his gang. They send Cook home & put Norman's gang in his hatch. Cook is always sure of last in and first out.

Diver with his big, silly grin, we all know is a sucker and will always remain one.

—And somehow Rolf knows how to please Mr. Sorensen, by packing all his booze out of the ship and he works his gang 15-20 minutes—for the church every day.

• Preacher Larsen with his BlueBook is the biggest sucker of them all. He claims that he can live for years without working, & the Lords Kingdom is near, Moses will soon be back & so on—but until Moses gets here the Preacher wants to be on the right side of the Big Boss. A Stevedore—Pier 39

Feb. 12, 1934 Waterfront Worker Page 7

Solidarity, Cries Stevedore

Editor Waterfront Worker:

I am a longshoreman working on the Frisco front but living in Oakland, which is the reason I do not attend all the meetings. If all meetings, of the future, will be as exciting as the last one, held on Jan 29, I will come often. The most exciting part of the meeting was when the visiting delegate came on the platform to make an appeal for funds, in behalf of some strikers in the Imperial Valley. This speaker told his story very convincingly, and I was very pleased to see the Br others respond as

(Testimony of William C. McCuistion.)

Government's Exhibit No. 249—(Continued.)

generously as they did. I think \$38.00 was collected. The longshoremen apparently understand the meaning of Solidarity, with a few exceptions. A small group sitting near the platform tried to raise a loud howl because the strikers in the Valley were not AF of L Unionists. Whenever we can, we should help the workers in the other crafts, no matter whether they are organized in the AF of L or some other affiliation.

One corpulent gentlemen, McKenna, by name, seemed to be the leader of this group of objectivists; however his mighty efforts gained him nothing (perhaps a lot of ill-feeling). I wonder if he put anything in the hat when it passed him???

Your little paper is just what we need on the Front, to express our sentiments & I hope you will continue to publish it. Don't let any of these corpulent gentlemen scarce you. We have only One Enemy—the Shipowners.

Yours Truly

Oakland Stevedore

Asks For 5c Waterfront Worker

Editor Waterfront Worker:

Having been a reader of this paper almost since its coming on the Front and seeing where you are a little short on cash, why not charge a nickel for it?

I don't think a nickel every 2 weeks will break any of us and maybe if it is OK, a bigger paper can be published.

(Testimony of William C. McCuistion.)

Government's Exhibit No. 249—(Continued.)

This putting the bosses on the spot doesn't help them out. They are getting so every other week they get the paper and see if their name is in it. You should write a little about Russian Louie and how he cashes the brass—for the gang, at 5c on the dollar or they lose their jobs. Brown does the same thing.

An ILA Stevedore.

Ed's Note:

Thanks for the dime. No donation is too small.

Stevedore Has Thumb Torn Off.

On Weds. Jan. 31st, a stevedore working for Hungry Gus, had his thumb torn off, while working the Kohoa Maru.

In trying to make tonnage, Hungry Gus had his men sling so many sacks that the sling would not go around the load. In trying to reeve the hook thru, the man's thumb got jammed and when the winch driver went ahead it tore the man's thumb half off, the weight of the man being lifted off the ground tore the thumb entirely off.

Immediately after this avoidable accident happened, a head boss from the dock came down & gave Hungry a severe bawling out and told him to sling three less of sacks to the load.

This accident is the direct result of the competition between the bosses to beat each other in tonnage and as always it's the men have to pay for it by working at an intense speed-up and being crippled for life.

(Testimony of William C. McCuistion.)

Government's Exhibit No. 249—(Continued.)

We as members of the ILA can stop this useless, insane speedup and needless maiming of workers. We must adopt a set of ILA working rules, these rules would stop the boss's from swinging such monstrous loads. A militant dock committee on the job would see to it that the working rules w'd be enforced to safe guard the workers against the competition of the

hurry-

up

boss.

Pete Learns To Fly

Pedro Pete's taking flying lessons. He's doing this so he'll be available to any of the pie-cards who'll want to know how to keep valuable points out of minutes.

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Waterfront Worker

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Flash ! ! ! ! News ! ! ! !

Kulberg Attends Stockton Meeting? Puts On Red Dress!

On Feb. 7th, Kulberg attended the Stockton ILA meeting because the membership were demanding action. In opening the meeting, he stated that it was a poor time to go in to action as the Frisco Local was poorly organized and it would be best to wait for the Code.

Every member saw through this program and in the middle of the meeting, the President handed in his resignation.

(Testimony of William C. McCuistion.)

Government's Exhibit No. 249—(Continued.)

Pie-card Kulberg, to save his face, jumped up and gave a rousing speech, stating, "now more militant action would have to be taken, that to get results we'd have to fight and strike—like the Communists."

Mr. Keyes, secretary of the ILA, also of the Ferry-boatmen's Union is a good friend of Kulberg's. He evidently was prompted by Pie card Alvin because a motion was made and passed that the secretary be paid 25 cents by every member who works 8 hours or more (for the good of the ILA, no doubt)

Pie-card Kulberg did not trust himself in such a hostile atmosphere so he had a good array of other Fakers to assist him. The local secretary of the Labor Council was there, he stated that if an agreement was not made with the ILA he would put out leaflets knocking the Port Bonds. This Faker, however, has been working with the Stockton Chamber of Commerce real-estate sharks to sell the State many acres of mudflats. This hot-air artist is like another Faker, Paddy Morriss, who can change his tone and speech to fit any occasion.

A Rank & File Stevedore from
Stockton

* * * * *

[Illegible] On The Scale

Shipowners in Pedro trying anew blacklist racket, physical examination of longshormen on the excuse that owing to the nature of employment and re-

(Testimony of William C. McCuistion.)

Government's Exhibit No. 249—(Continued.)

quirements of compensation act employees are required to submit evidence of physical fitness. These rules have been in effect for a long time, no where are there compulsory physical examination clauses. This is just a move to blacklist the men here for having the guts to vote against the Fink Hall. Reading the Waterfront Worker shows us how the Frisco stevedores have forced their officials to take many of their grievances up and have them settled.

—Pedro Stevedore.

Alexander Hamilton Institute Student
Shows His Teeth

When fellow worker Larsen was hurt a few months ago thru the negligence of the Ship Owners & Stevedoring Co's, the gang was blamed and fired.

Louis Disner, notorious scab herder and Klu Klux Klan organizer was put in as hatch tender. Louis immediately pulled the old Fink Hall stunt: "Everybody in th gang buys cigars for the hatch tender." One member of the gang refused and was fired off the job for refusing to buy El Ropos for Disner.

Louis is trying the old routine cigars first—then a gallon of wine; a ham, etc. If we dont stop it, it will be a step-in for mama or a new car.

The same day, in the afternoon a genuine Fink by the name of Holloway came aboard and by meat flapping the Captain and mate got himself a job; bragging that all Union men were brothers and he was a good friend of the whole gang.

The gang let him work for about 10 minutes then.

(Testimony of William C. McCuistion.)

Government's Exhibit No. 249—(Continued.)
sent the committee to see the mate, stating that he
either get off the job/or they would walk up. Mr.
Halloway walked down the gang plank cursing - the
ILA and everybody else.

* * * * *

Put Up The Guards The Rats Are Deserting
The Ship ! ! ! ! !

Not satisfied with election of Jan. 8th when only 32
finks supported the Fink Hall, Mr. Nickols called
for a re-vote on the same question Jan. 16th. Like all
good skippers Nickols was keeping a close watch on
the rats, but he couldn't believe his eyes; for when
the tails were counted only 24 remained aboard.
With such a few rats left we would advise Mr.
Nickols to start counting the cock roaches.

Editor Waterfront Worker:

At our last meeting, we talked about making a big
Pie for the whole coast. 3 particular brother & said
they did not like that kind of Pie. But we did not
let them talk us out of it. The Rank & File of the
whole Coast want to be in on the Pie Party to be
served on the 25th of Feb.

Now, brothers, let us not forget those 3 brothers who

(Testimony of William C. McCuistion.)

Government's Exhibit No. 249—(Continued.)

said they didn't like Pie. Let us keep them out of the Party by not voting for them.

—A Longshoreman

From

The

Dollar

Dock ...

* * * * *

[Endorsed]: Filed June 2, 1942.

Mr. Del Guercio: I would like to call the Court's attention to what appears on the January 29, 1934 issue, particularly the address on page six. The address of the Waterfront Worker is given as "3470-19th Street"; and also an item appearing on page two, it being an announcement of the Bay Region Congress Against War and Fascism. "Waterfront Worker recommends ILA send delegates". On the February 12, 1934 issue I would like to call the Court's attention to the notice which appears on the front page. The new address of the Waterfront Worker: "P. O. Box 1158, San Francisco, California". That also appears on page three.

Mr. Gladstein: What issue were you talking about there, Mr. Del Guercio?

Mr. Del Guercio: The February 12, 1934 issue. That address also appears on pages three and six of that issue. [1936]

(Testimony of William C. McCuistion.)

By Mr. Del Guercio:

Q. I will show you another issue of the Daily Worker for December 31, 1934, and ask you if you can identify that as being a genuine issue of that paper, the Waterfront Worker.

A. The Waterfront Worker, yes, sir. Yes. I think that's the same exactly.

Mr. Del Guercio: I offer this in evidence, if your Honor please.

Presiding Inspector: It may be received.

(The document referred to was received in evidence and marked Government's Exhibit No. 250.)

GOVERNMENT'S EXHIBIT No. 250

[Cut]: Waterfront Workers. Price 2 cents.

Volume II Number 41

December 31, 1934

San Francisco

Shipowner's Prepare Attack

It becomes necessary at this time for all of us to be clear on the plan of attack adopted by the ship-owners against the longshoremen and seamen, and having defeated us, as they hope to, move to attack the teamsters.

We will, in order to show the workers clearly what we mean, take up this problem port by port and how these plans are connected over the whole coast, using all tools at their disposal.

In San Francisco the Industrial Association is

(Testimony of William C. McCuistion.)

Government's Exhibit No. 250—(Continued)
copying extracts from the Waterfront Worker, sending it to all their members to speed up the collection of a huge, strike-breaking fund.

Attempts are made to set up a negro union to split white and negro workers. Some of us, not seeing how the shipowners are preparing to attack us coastwise, don't very often see the necessity of organizing for the backing of workers, not only in one port, but all ports are playing right into the shipowner's hands, with ill-timed and improperly prepared dock strikes.

Lee Holman is waiting around with his organization of scabs hoping the shipowners will give him a chance to lick their boots.

In Pedro, of course, Pedro Pete plays the game by ruling in favor of the finks remaining working, informing the seamen and other marine crafts that the longshoremen will not be able to back them up in any of their struggles.

Portland stevedoring Companies are taxing themselves 20 cents a ton for each ton cargo handled to

(Continued on next page, Column 39)

* * * * *

* A BIRTHDAY PARTY *

* Come To The Birthday Party *

* Waterfront Birthday Party, Saturday Nite. *

* January 5th—8:00 P.M. At Albion Hall. *

* 145 Albion St.—Around The Corner From *

* Duggan's Funeral Parlors. *

(Testimony of William C. McCuistion.)

Government's Exhibit No. 250—(Continued)

* The Waterfront Worker is going to celebrate *
 * its 3rd birthday by holding a meeting at Albion *
 * Hall, Saturday Night. For this memorable oc- *
 * casion, the Waterfront Worker has invited *
 * Wm. F. Dunne, one of the foremost trade-union *
 * authorities in America, to speak and explain *
 * the West Coast Maritime Strike and the Great *
 * San Francisco General Strike. Many workers *
 * are acquainted with Dunne already, knowing *
 * him for his militant history in Butte, Montana, *
 * and as a militant member of the National Ex- *
 * ecutive Committee of the A.F. of L. *

* You can't afford to mis this meeting; hear the *
 * valuable lessons of the second general strike in *
 * America. *

* Also, as an unusual added feature the cast of *
 * Stevedore is going to present 3 scenes of that *
 * smashing working class play Stevedore—the *
 * play that ran for over 2 years in New York *
 * City. *

* You can't afford to miss this meeting given by *
 * Your Paper for You. *

* Remember? Saturday night, 8:00 P.M., Albion *
 * Hall, around the corner from Duggan's Funeral *
 * Parlor. Be there! *

* * * * *

(Testimony of William C. McCuiston.)

Government's Exhibit No. 250—(Continued)

Page 2 Waterfront Worker December 31, 1934

set up their scab fund. The scabby Columbia River Longshore Assn. is kept at Portland's organized scab reserves.

In Seattle the Chamber of Commerce is busy collecting a scab fund, attempts have been made to organize the casuals into a rival union.

Over the whole coast watching their chance to pull charters and wreck union, waiting to do Ryan's bidding, stand the labor fakers of the District, Lewis, Paddy Morris, and Sheriff Bjorklund.

In the fight to organize the Rank and File Pacific Coast Marine Federation these district misleaders take different positions so as to remain in the leadership, but always with the aim of splitting the forces of the workers. Lewis takes the position that the Marine Federation is all right, but now is not the time for it. Paddy Morris wants a Federation—speaks hot and heavy for it, but demands it be organized to only protect the interests of each marine craft so we, instead of uniting our forces, will waste our time on jurisdictional fights.

The fakers of the I.S.U. have let loose a coast-wise drive to split the longshoremen and seamen. In this they all have joined from the "Old Fink of the Sea" Furuseth. So "Punch Drunk" Frank Webb, I.S.U. Frisco Patrolman. They hope to set up a separate group of steam-schooner men to work longshore for about \$2.00 a day.

(Testimony of William C. McCuiston.)

Government's Exhibit No. 250—(Continued)

Fellow Workers, we have no time to lose - bitter struggles lie just ahead of us. At one we must tour our best speakers and organizers on the whole coast to arouse the workers of the danger—to get busy and build up the Pacific Coast Rank and File Marine Federation—to build rank and file control in all coast locals so the shipowners will not be able any longer to play one local against another. —to carry on a coastwise fight for more favorable decisions on the Award — to mobilize for a fight against Ryan and Lewis' union wrecking, charter-lifting stunts.

This was proven correct when we sent Harry Bridges, our militant rank and file leader, on a tour a year ago to unite the Coast in the District I.L.A. Convention, and resulted in being able to organize gang stewards and to plan the organization of a coastwise marine federation.

Prepare for the shipowners attack and win the day.

News Flashes

(With no Apologies to Hearst)

On Labor Day the workers marched—

(Vandeleur led the procession with some other fakers)

And when the longshoremen

Rank on rank—swung up Market St.

All the cheers were "Hooray For Bridges"

Past the reviewing stand where Rossi Sat—

Surrounded by his friends—

(Testimony of William C. McCulliston.)

Government's Exhibit No. 250—(Continued)

Vandeleur, Casey and that remarkable 4 party runner-up, Hiram Johnson

They do say quite a few boo-oo-oo's rent the air

That could be heard for blocks around—

And was Rossi's face red?.

(Reprinted from November issue of Rank and File Federationist, on sale at 542 Valencia St.)

Be On Alert For Chiselers

Fellow-members, there is still some hungry guys on the waterfront who work over the 120 hours. Report such violators to the office immediately. Keep your eyes open for such guys. They are just as finky and will do as much harm to the organization as Scabby Peterson or Fink Bryan.

Report all chiselers to the office at once.

Bjorklund Elected Sheriff

Paddy Moriss Appointed Dist Secty.

Since Bjorklund was elected Sheriff, the District Committee appointed Paddy Moriss District Secretary. The Waterfront Worker would like to know who gives the District Committee the authority to appoint District Secretaries? Every rank and file member of the I.L.A. should be able to see by now that the Pacific Coast District is run by a bunch of politicians and pie-card artists, who have absolutely no regard for the welfare of the membership whatsoever.

At the Pacific Coast Convention in May we can take the control of the Pacific Coast from the pie-

(Testimony of William C. McCuistion.)

Government's Exhibit No. 250—(Continued)
cards, who are working with the arch-faker Ryan and give it back to the rank and file by electing honest, sincere, fighting rank and file leaders to office. Leaders who work and fight for the membership, not fakers who connive with the shipowners and try to force sellout agreements down our throats

December 31, 1934 Waterfront Worker Page 3

On the Spot
Accounting Dues

How about an accounting of the \$14,000 we sent the District for the defense of the Portland Prisoners???

Vote of Thanks

Attention: Clearance Card Committee!

We tender our humblest thanks for the great rush for Doctor's certificates. Business was poor.

Thanking you again, we remain

Medical Association.

Our Christmas Present to Ryan:

Rank and File

Some Xmas Presents We Would Like to Give
Pres. J. P. Ryan: A photo of Fink Hall with
Scabby Pete, Holman, and Stein in doorway
shaking hands.

Bill Lewis: Book, "What the well-dressed labor
faker should wear", also, incinerator for with-
drawn charters.

Finnegan: Set of fool-proof account books.

Plant: A beautiful big poison ivy plant.

(Testimony of William C. McCuistion.)

Government's Exhibit No. 250—(Continued)

Pedro Pete: A leaden airplane fuelled with poison gas.

Rossi: One nice sour lemon.

Dutch Deitrich: A 30 day stretch in the hoosegow.

Chief Quinn: Box of tear gas bombs, bomerang type.

Paddy Morris: A long trip to the "Ould counthry".

Remarkable Record

1933 Financial Statement of the A.F. of L.

Total Income \$1,472,565

Total for strike benefits and defense..... \$1,084

(Ed's Note) The \$84 was actual strike benefits paid to a union in Canada. The \$1000 went for lawyers in the same strike.

Salaries \$206,500

Executive Council — 4 times a year for

11 people \$17,593

Did You Say Steam-Roller?

The Juggernaut in Action

At the 54th Annual A.F. of L. Convention 438 delegates were seated. 11 delegates controlled 13,239 votes of a total of 25,304

Oh Yeah!

I believe in democracy and rank and file controlled unions.

If you don't believe me ask Paddy Morris.

John C. Bjorklund.

(Testimony of William C. McCuiston.)

Government's Exhibit No. 250—(Continued)

Page 4 Waterfront Worker December 31, 193

**Capitalist Justice—Worker Tried for Being
Shot in Back**

Insull Freed After Stealing Millions.

Last week, Metzgar, the worker who was shot in the back during the police attacks on the mass picket line on May 28, was tried in a capitalist court in a true capitalist manner.

Metzgar, who was an innocent bystander during the police attack was deliberately shot in the back by a police sergeant. After being released from the hospital he was arrested and charged with "felonious assault and intent to do great bodily harm". His case just came to trial last week and he was defended by the International Labor Defense.

In a truly militant working-class manner many longshoremen attended the trial and some were called as witnesses. The longshore witnesses showed how deliberate the police attacks were and how Metzgar was shot trying to escape the brutal police. The prosecutor went into spasms of rage whenever the witnesses would call the attacks in their true name—police attacks. He stated they should be called "melees".

Every honest worker can see how the courts are used to prosecute and intimidate the workers, especially militant workers who dare stand up for their rights, and how the prosecutor and judge lie and use all sorts of legal trickery to confuse the workers.

(Testimony of William C. McCuiston.)

Government's Exhibit No. 250—(Continued)

The jury voted 10 to 2 for acquittal. As the jury could not agree they were dismissed. The judge stated, as he heard the jury's report, "This case has cost the City too damn much already." This remark of the judge's proves the correctness of the International Labor Defense's policy—that of demanding a jury trial.

During the strike the longshoremen had over 80 arrests. It is true that most of these cases were dismissed, but the number of arrests could have been reduced greatly if the arrested workers would have demanded jury trials, flooded the jails and the courts. The cost would have been so terrific that the police would have stopped their wholesale arrests.

Compare the justice meted out to Metzgar and Samuel Insull. Samuel Insull, the man who stole millions, who caused more suicides, misery and wiping out of small savings than any man in this decade, and who built his immense fortune on the blood and sweat of the exploited toilers. After the crash Insull ran away to Greece and after a great lot of newspaper wailing and gushing he returned to America when he got good and ready. We all know that the Insull jury voted a verdict of not guilty. Even the capitalist papers are forced to admit the rayness of the trial procedure.

Only the mass action of the working class can halt the police frame ups, the railroading of innocent workers to prison and smash the class charac-

(Testimony of William C. McCuiston.)

Government's Exhibit No. 250—(Continued)
ter of the courts, where the rich go free and the
workers get imprisoned.

December 31, 1934 Waterfront Worker Page 5

... Ila Boss Wont Hire Negro Stevedores
Negro and White Stick Together

Dear Ed:

Saturday, Dec. 22, Bob Rees went to Encinal
Terminal to work the Dorothy Luckenback. On ar-
riving there he found one man short.

Bob being a cheap union man could not afford
to call the I.L.A. Hall himself, went over to the
Timekeeper, Barneti, and told him to phone the
I.L.A. for a white man and that if they would
send him a nigger he would send him back.

It certainly is doing what the shipowners want
us to do—calling negro workers "niggers". Dur-
ing the strike negro workers fought shoulder to
shoulder with white workers.

Bob Rees never worked to form the I.L.A., nor
did he make any rules for the good and welfare of
the organization.

Get wise, Bob, black or white, we are all in one
class, the working class—in one union, the I.L.A.
Take any man that is sent from the union. The
union has always fought against any discrimination.

Stick together, we win—split agaprt, we lose.

One of His Gang

(Testimony of William C. McCuiston.)

Government's Exhibit No. 250—(Continued)

(Paid Advertisement)

Trade Unionists

Join the

Workers School

How Were the Longshoremen Able to Prevent
Sell-Outs & Discrimination?

Only by having within their ranks enough rank and file members who were armed with an understanding of the past maneuvers of the employers and misleaders (like, Ryan, Lewis, Vandeleur, Casey & Co

Now the Shipowners are arming for a new and greater attack with the evident cooperation of International President Ryan who has already threatened to remove the charter of the San Francisco Local. To more effectively defeat these new maneuvers, more longshoremen should be armed with the working class analysis of the class struggle. Here are some of the courses offered:

Fascism & the World Trade Union Movement, which covers the lessons learned in Germany, Italy and Austria.

Americanism & the Revolutionary Tradition, which is a review of the history of the American Labor movement.

Fundamentals of Communism.

This course will show you the real reason for the Hearst Papers tirade against Communism.

Register Now!

San Francisco Workers' School

463 Hayes St., San Francisco

(Testimony of William C. McCuiston.)

Government's Exhibit No. 250—(Continued)

Demand Release 34 Portland Stevedores.

Shyster Lawyer in Charge Defense

B.A. Greene, the shyster lawyer who is part of the A.F. of L. machine in Portland and the entire state of Oregon, and who played a large part in breaking the strike of seamen on the SS Hollywood, has been "in charge" of the case from the start. Every stevedore in Portland, and especially the defendants themselves, know that Greene is stalling the case along as long as he can—trying to keep the men just anxious enough to continue their efforts to raise funds for the defense, and at the same time, keeping the whole affair just quiet enough so that nothing will be done about in the courts, which will keep Greene's expense account paid by the workers for as long as possible.

While 22 of the defendants were still held in the County Jail, 18 of them signed a petition demanding that the International Labor Defense participate in the defense. The paper disappeared before the men could turn it over to their fellow-workers outside, for action.

The I.L.A. and all organized labor, in Portland as well as all over the country, must immediately send protests to District Attorney L. L. Langley, Multnomah County Courthouse, Portland, Ore., demanding that those 34 innocent victims of the frame-up perpetrated at the instigation of the ship-owners in their efforts to enforce the open shop on the

(Testimony of William C. McCuiston.)

Government's Exhibit No. 250—(Continued)

Portland Waterfront, be immediately and unconditionally released.

Cause I'm a Nigger

You take my labor.

Steal my time.

Give a dirty dishpan

An' a lousy dime.

Cause I'm a nigger, dat's why!

I grows de corn.

Has nothin' to eat.

Builds big houses.

Go sleep in de street.

Cause I'm 'a nigger, dat's why!

White boss, white boss.

Sittin' in de shade.

In de meltin' sun

I sweat wid my spade.

Cause I'm a nigger, dat's why!

Worms get turnin'.

Cat hug lion.

My hell get raisin'

Don't care about dyin'

Cause I'm a Red Nigger, Dat's Why!

By—

Langston Hughes

(Testimony of William C. McCuiston.)

Government's Exhibit No. 250—(Continued)

Page 6 Waterfront Worker December 31, 1934

The Waterfront Worker is published by a group of rank and file stevedores, members of the I.L.A.

Send all news to P.O. Box = 1138, S.F.

The Mail Bag

Steam-Schooner Men Work on Dock

Lay Basis to Split Longshoremen & Seamen

Dear Ed;

It is becoming a practice of the steam-schooners to force the sailors to work cargo on the dock. This is done with the idea to use the steam-schooner men in case any serious trouble arises between the ship-owners and longshoremen. The S.S. Noye is more of a violator of this form of chiseling than any steam-schooner I know. The way they get away with it is this way; the Noye picks up a few tons here and there all over the Bay and as the I.L.A. Hall will not send a gang down to a job for anything less than two hours, why the schooners have been getting away with more and more as time goes on.

The steam-schooner sailors do not want to work cargo on docks but under the present conditions we are forced to. The phoney I.S.U. officials will not make a move to help us stop this unfair practice. I suggest that the I.L.A. send gangs down to do this work and let them travel with the ship and get their pay while travelling. I hope the I.L.A.

(Testimony of William C. McCuiston.)

Government's Exhibit No. 250—(Continued)
will take up this question as soon as possible. I
remain

A Steam Schooner Sailor.

Read — — Subscribe

Support

The Waterfront Worker

P.O. Box 1158

S.F., Cal.

Seab Hotel in Crockett

Discriminates Against Negroes

Some action should be taken against the seab hotel in Crockett. Not only do they give out slim rations but when John Zillick's gang went up there the chief fink of the hotel fired three negroes in the gang to eat in a separate room. Say, what kind of I.L.A. men are in that gang, that they will let a fink cook get away with anything like that? Even the three negroes who agreed to such a thing must have a little of the Uncle Tom in them.

We're living in 1934, where every man regardless of race, color, or creed, has an equal right in any worker's organization, especially in the I.L.A., a rank and file controlled union. I say to all negroes that it is time for every colored man to stop being an Uncle Tom and stand up and fight like a man.

A Colored I.L.A. Man.

Read! Read! Read!

The Rank and File Federationist

It carries the news of the A.F. of L. rank and file

(Testimony of William C. McCuiston.)

Government's Exhibit No. 250—(Continued)
members. It has a national circulation and has
proven a powerful means of strengthening and uni-
fying the fight for a rank and file controlled A.F.
of L.

Read and subscribe to the Rank and File Feder-
ationist.

Rates: 50 per year. 5c per copy.

Send or bring your subs to 542 Valencia St., S.F.

Subscription Blank

The Waterfront Worker

P.O. Box 1158

San Francisco, Calif.

Name

Address

Rates ——— 3 Months 50c ——— 6 Months \$1.00

1 Year \$2.00

The readers who are keeping a file of the Water-
front Worker and hesitate to destroy the paper by
cutting out the subscription blank: state so in your
letter and the copy will be mailed to you with your
first copy and receipt.

The Editors.

December 31, 1934 Waterfront Worker Page 7

Were Clerks Sold Out???

Finnegan Machine Working Smoothly.

Dear Ed:

Perhaps you would like to know how the Clerks
have been since their award has been given out. We
now work two hours and a half or one and a half

(Testimony of William C. McCuistion.)

Government's Exhibit No. 250—(Continued)

where we used to get at least a half a day and our raise in pay amounted to, in most cases, ten cents an hour, so the outcome we are cut at the minimum, the equivalent of a half a day's pay. Our hours are all we can get and as long at one time as we are able to stand on two feet.

The latest is now to take in the finks and scabs which no doubt if they are good finks the ship-owners will be willing to pay the \$25.00 Initiation Fee. If you should happen to run across some of our boys whom you know to be good Union men with their buttons in the pocket, it is simply because they don't want to represent a "Fink Hall". Well, what we have a hall for I sometimes wonder. We still have to panhandle the beach and the finks and scabs get all preference; for instance, the American Hawaiian have about twenty finks and scabs there and we have about as much chance as a snowball in Hell for a job. If you want to lose your job, if you're lucky enough to have one, ask a Steamship Company to call the Hall for you and that will be the end of your job.

I hope someone comes to the rescue soon as that's about our last resort. I often wonder if we were sold out or is that foolish. Hey, Hey. I hope the boys will get next to themselves and clean that organization before it's too late, but they will have to work fast.

Some of you Steves should "Come up some time".

(Testimony of William C. McCuistion.)

Government's Exhibit No. 250—(Continued)

to our meeting and watch the clock work, it runs like a 21 jewel watch.

A Clerk from the Rank & File

Longshoremen Help Seamen Unite Forces

Dear Ed:

During the strike we seamen saw how necessary it is to not only have unity amongst seamen, longshoremen and teamsters, but unity amongst ourselves.

We well remember the day after Bloody Thursday, Larsen, I.S.U. Secretary, called the cops and ran us out of the I.S.U. Hall when we, 1200 rank and file members, tried to call a meeting to vote for a united seamen's strike committee between the Marine Workers Industrial Union and the I.S.U. Now with the shipowners building up big seabunds to attack us soon, unity between all seamen, will be more necessary than ever before.

Already the Marine Workers Industrial Union is taking up with seamen to unite all seamen in one seamen's union, a union which the majority of the seamen have picked as their organization, the I.S.U. The M.W.I.U. has always maintained we must unify our ranks and it would not stand in the way of unity.

Longshoremen can do much to help the seamen and demand any attempt on the part of the I.S.U. fakers, Scharrenberg & Co., to keep seamen from unity with other maritime workers, be stopped, by the united action of all the maritime workers.

(Testimony of William C. McCuistion.)

Government's Exhibit No. 250—(Continued)

Seamen must demand a vote on all agreements made in their name.

Granting of original demands of \$75 for A.Bs.

Full voice and vote when admitted to the Union.

~~No more probationary membership.~~

The right of seamen aboard ship to voice their opinion regards seamen's affairs, as many are denied this democratic right because it is ruled by the I.S.U. leaders that they cannot vote because they are at sea.

We must be on guard that the I.S.U. leaders do not carry thru successfully their plan to split the seamen and longshoremen as this talk is being spread on the Coast by Woopy Andy Furuseth.

A Seaman

Waterfront Worker Birthday Party
to be held Albion Hall, 145 Albion St., around
corner from Duggan's Funeral Parlors.

Saturday Night, Jan. 5th, 8 P.M.

Wm. F. Dunne will speak

3 scenes from Stevedore—that great
play. You can't afford to miss it.

Page 8 Waterfront Worker December 31, 1934

(Concluding Installment, First part appeared in
December 24th Issue)

3) "Set up unemployment reserves without penalizing industry". This is a real honey! Where is the money for "unemployment reserves" to come from? This point means that the whole burden of relief

(Testimony of William C. McCuiston.)

Government's Exhibit No. 250—(Continued)
for the unemployed is to be placed on labor. It means a further cut in living standards. 4.) "Establish, broad foreign markets. (This can be done only by driving wages here still farther toward the wages of Japanese workers—or by a new world war.)

This is the program that Hearst is boosting.

But Hearst and his multi-millionaire friends know that American workers will not take his scheme lying down. They will resist. There will be big strikes. As is always the case when the bankers and big bosses are getting ready for a new piece of dirty work, they want to suppress all opinions and actions which do not fit in with their skullduggery.

So, now Hearst is calling for the extermination of the "Reds". He calls for censorship of moving pictures so that nothing favorable to labor shall get in, demands the passing of laws that Will Make It Illegal Even to Distribute Leaflets and Handbills Giving Labor's Side in the Case of Strikes or at Any Time.

Hearst calls for denial of the use of the U.S. mail to all papers and publications that do not agree with his definition of "Americanism". He calls for the deportation of all foreign born workers. That Refuse to Become Strikebreakers, and Worship at the Shrine of Hearst.

Hearst, and the bankers and employers whose opinions he expresses, calls for a new federal law to imprison and deprive of citizenship even naturalized citizens—yes, and native born Americans as

(Testimony of William C. McCuistion.)

Government's Exhibit No. 250—(Continued)
well—who believe with good reason that this country and its government is run by J.P. Morgan, Rockefeller, Vanderbilt, Astor, etc. in the interests of this little clique of multi-millionaires who never did a day's work in their lives.

Hearst wants everyone treated as "traitors" who believes and says that such a clique and their government should be kicked out by the organized power of the workers and workers and farmers put in to take their places, running the government and his country in the interests of everyone who works, or who wants to work for a living.

"Such beliefs are treason", says Hearst. The only labor leaders he likes are those who sell out their unions, their fellow workers; and the whole working class, to Hearst his capitalist kin, and the big trustified employers.

It is time that the organized labor movement showed Hearst, who openly praises Fascism in Germany and Italy, while always slandering and lying about the workers and peasants government of the Soviet Union, who is trying his best to promote Fascism in the United States, That It Is On To His Game.

It is time to let him and those for whom he speaks know that American workers have had just about all the insults from him and his sheets that they can bear. It is time to start in and get ready for a unified struggle against the whole open shop, wage and relief cutting program sponsored by Hearst and the big employers.

(Testimony of William C. McCuiston.)

Government's Exhibit No. 250—(Continued)

It is time to speak out in the clearest manner against all schemes for suppressing any section of the working class and to defend freedom of speech, of the labor press, of the right to assemble, or organize and strike. It is time to let Hearst know that We Are On To His Game; that we know when he calls for a drive against the "Reds" he really means All Workers the Entire Organized Labor Movement.

Why should any wage earner, since this is the kind of program Hearst supports, buy and read any Hearst paper? Why should workers whose wages, unions, political parties and living standards Hearst is attacking, poison themselves with Hearst venom?

Buy and support the Waterfront Worker and all genuine workers papers.

[Endorsed]: Filed June 2, 1942.

Mr. Del Guercio: I would like to call the Court's attention to what appears on page six of this issue, particularly the address being given as "P.O. Box 1158". Also what appears on the front page of this particular issue, and I quote:

"A Birthday Party. Come to the birthday party. Waterfront birthday party, Saturday nite, January 5th, 8:00 P.M. at Albion Hall, 145 Albion

(Testimony of William C. McCuistion.)

Street, around the corner from Dugan's Funeral Parlors".

This also appears:

"The Waterfront Worker is going to celebrate its third birthday by holding a meeting at Albion Hall Saturday nite. For this memorable occasion the Waterfront Worker has invited William F. Dunne, one of the foremost trade union authorities in America, to speak and explain the West Coast Maritime strike and the great San Francisco general strike. Many [1937] workers are acquainted with Dunne already, knowing him for his militant history in Butte, Montana, and as a militant member of the National Executive Committee of the A. F. of L."

By Mr. Del Guercio:

Q. Now, Mr. McCuistion, do you know the William F. Dunne mentioned in this article?

A. Yes, sir.

Q. Who is he?

A. He was a leading member of the Communist Party, a member of the Central Committee of the Communist Party and a former editor of the Daily Worker. He had been disassociated with the American Federation of Labor as an official for some years at that time.

Q. Was he a high official of the Communist Party at the time of this article?

A. Yes, he was at that time. He still is, to the best of my knowledge. He has been for many years.

(Testimony of William C. McCuistion.)

He is a charter member of the Communist Party of this country.

Q. Now, I show you another issue of the Waterfront Worker for April 13, 1936, and ask you if you can identify it as being a genuine copy of the Waterfront Worker?—

A. I probably have never seen this issue before. It's just the same as the others. At the time this issue came out I was in India, so I couldn't very well have seen this.

Q. Does it appear to you to be a genuine copy of the [1938] Waterfront Worker from what you have seen of them?

A. Yes, sir. It appears just the same, the same kind of work, the same kind of paper, the same kind of lettering on the masthead and everything.

Mr. Del Guercio: I offer this in evidence, if your Honor please, as Government's Exhibit next in order.

Presiding Inspector: It may be received without objection.

Mr. Del Guercio: And I ask that the photostatic copy thereof be substituted.

Presiding Inspector: It may be done.

(The document referred to was received in evidence and marked Government's Exhibit No. 251.)

(Testimony of William C. McCuistion.)

GOVERNMENT'S EXHIBIT No. 251

Waterfront Worker
(Masthead) 2c

Volume IV Number XV

San Francisco

April 13, 1936

Shipowners Prepare for Showdown

The scab ship Santa Rosa is due in Pedro Monday morning. She is manned with the cream of the scum of the large eastern cities. Armed to the teeth with knives, black-jacks, guns and scab I.S.U. books paid 3 months in advance, these scabs are headed straight for trouble.

The shipowners have prepared for such action. Along with the planned murder of the maritime leaders in Frisco, the revocation of the sailor's charter, the pending injunction against the seamen's hiring halls and the deliberate dispatching of ships to the West Coast manned with scab crews, this does not only show direct cooperation between the East and West Coast shipowners but it means that they are taking action.

What causes the shipowners to take action at this time?

1. The strike on the East Coast is growing stronger daily.

2. The fakers are doomed; therefore, they have resorted to open strike-breaking and fitting the scabs out with I.S.U. books.

(Testimony of William C. McCuiston.)

Government's Exhibit No. 251—(Continued)

This leaves no alternative to the longshoremen and the Pacific Coast maritime unions but fight.

We can expect any time that the papers, the fakers and the shipowners to raise the cry that the East Coast strike is unofficial, that it is a red plot to destroy American shipping, that these "mutineers" should be hung from the yard elm etc. Ryan has Okeyed the plan of putting scabs on ships. He stands alongside Olander, Carlson, Grange, Hunter, and the rest of the gangster beef squad leadership of the I.S.U. of A. Any day now Ryan will be issuing orders that these ships are not scabs, that the East Coast strike is phoney, that the West Coast has agreements that must be respected, etc., and you will find the Pacific Coast district officialdom echoing those orders.

* * * * *

A-t-t-e-n-t-i-o-n

Pre-Convention Meeting

Monday Nite, April 13th, 8 PM

Scottish Rite Auditorium

Resolutions & Nominations to Convention

I-m-p-o-r-t-a-n-t

* * * * *

However, the Santa Rosa, the Virginia, the Sage Brush, manned with the rakings and scrapings of the underworld are scabs in any language regardless if those chief finks Olander, Furuseth and Co. issued them a new I.S.U. book every day. We are faced with the problem; What are we

(Testimony of William C. McCuistion.)

Government's Exhibit No. 251—(Continued)
to do? If the longshoremen work the ships the high
 degree of unity which we have built up at so much
 sacri-

(Continued on Page #3, Col. #1)

Page 2 Waterfront Worker April 13, 1936

"Mutiny Strikes"

The strike of the seamen in New York harbor, which grew out of the SS California "mutiny" incident, is spreading despite all obstacles placed in their path by a scab-herding union officialdom and the WPA administration. Over 2 dozen ships have already been tied up, more to come.

Strikers revealed that officials of the International Seamen's Union, led by acting president Andrew Furuseth, have been rounding up scabs in Cleveland, Toledo and other ports in the Great Lakes area.

As further evidence of the complete tie-up of the reactionary officials with shipowners, the strikers pointed to the charges made in the press that "they did not represent the union membership".

A statement answering this charge issued by the provisional strike committee said in part: "The charge that we do not represent the membership is absurd. We are the members of the union. We are the men who sailed the seas and spread the union from port to port. We are the workers who fought on the picket lines. We pay the dues to maintain men like Furuseth in high paid positions as officials".

(Testimony of William C. McCuistion.)

Government's Exhibit No. 251—(Continued)

The expose of the strikebreaking part played by the WPA administration, which, was printed in the Sunday Worker of Mar. 29th, was corroborated in a letter sent by Nels Andersons, labor relations director of the WPA, to Representative Vito Marcantonio.

The letter stated that "no more" WPA workers would be assigned to take places of strikers "until the union is able to settle its own differences".

Marcantonio pointed out that no attempt was being made to remove those now scabbing. Serving notice that he would take the matter up on the floor of the House of Representatives, Marcantonio, stated, "The response is not satisfactory. I shall take it up on the floor."

Unions Plan New Yachting Club

The Leningrad Trade Union Council is opening a new yacht club this spring, it is reported. Several big yachting cruisers have already been acquired, which will sail around Europe from Leningrad to the Soviet ports on the Black Sea, manned by Leningrad trade unionists.

All-Union yachting races will be held this year on Ladoga Lake near Leningrad, with six trade union yachting clubs from all parts of the Soviet Union participating.

(Testimony of William C. McCuiston.)

Government's Exhibit No. 251—(Continued)

Students to Visit Strike at Hearst Paper

The Chicago City Council of the American Student Union completed plans and preparations for its second visit to the scene of the historic strike of editorial employees of Hearst's Wisconsin News in Milwaukee.

More than 150 students will make the trip in a fleet of chartered busses to look around, and finally pick their side which no doubt, will be that of the strikers.

There Is a General

General Smedley Butler, U. S. Marine Corps, will tell San Francisco on the evening of April 22nd just how and why "War Is a Racket". The courageous and intelligent military gentleman, with considerable experience in his line, doesn't mince words about what he knows. Just in that is he different from other army officers, active or retired. Most of them know as much about war as does Gen. Butler, but unlike him, they either approve of the racket, or haven't the courage to face the truth about it. The meeting at which General Butler will speak will be in Dreamland Auditorium and under the auspices of the American League Against War and Fascism.

Red Scare Raised in Steel Drive

John L. Lewis and members of the Committee for Industrial Organization were accused as aiding

(Testimony of William C. McCuiston.)

Government's Exhibit No. 251—(Continued).

"Communists", in a statement issued to the press by Louis J Leonard, international secretary of the Amalgamated Association of Iron, Steel and Tin Workers.

Leonard, known throughout the steel industry as the "brains" of the Mike Tighe group in the union, and famed for his continuous attacks on the Rank and File, contended that Lewis and John Brophy "are Communist bed-fellows".

Trade unionists here looked upon the statement by Leonard as an attempt to raise a "red scare" on the eve of the annual convention of the Amalgamated Association which will be held during April.

In addition to attacking Lewis and Brophy, the veteran red-baiter, also led the recent notorious expulsion of 18 locals of steel workers out of the union.

Castles and Wage Cuts

William Randolph Hearst came in for a severe lashing from Senator Shwellenbach of Washington and a member of the Committee Investigating Lobbies. He accused Public Enemy No. 1 of running his newspapers on a sweatshop basis and of a long record of stealing papers, bribery, intimidation and the yellowist of journalism.

While Hearst was building a \$15,000,000 Bavarian castle in California he said, "so he and Hollywood movie stars could enjoy themselves", drawing \$500,000 salary, "he was putting into effect three separate

(Testimony of William C. McCuistion.)

Government's Exhibit No. 251—(Continued)
and distinct reductions of 10 percent upon the salaries of his employees". The Senator also reviewed Hearst's criminal activities in bringing about the Spanish-American War and his yellow sensationalism during the World War. "No man in the country today is more despised by the men who work for him", he added.

The characterization of Hearst was brought about by his effort to prevent the Lobby Committee from obtaining and publishing his telegrams obtained from the telegraph companies.

Have You Visited the Modesto Boys??? ---

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(Continued from Page #1)

fee will be broken and will result in a direct vicious attack by the shipowners on the West Coast.

Although the Grace ships only touch 2 West Coast ports, Pedro and Frisco, this is a coast issue and must be made so.

Past experience has shown us that the district officialdom will stay on the fence with no direct declaration of policy and allow Frisco and Pedro to take the lead in this action.

The district council #2 of the Federation has already declared the Santa Rosa "hot" and has notified all other councils and has called upon them for support.

The longshoremen and other maritime unions must prepare themselves for a showdown on this issue. The shipowners realize that the East Coast

(Testimony of William C. McCuiston.)

Government's Exhibit No. 251—(Continued)
strike becomes more solid daily and all strike publicity to the West Coast is smothered. They see in the strike the concrete beginning of an East Coast Maritime Federation and the loss of their aides like Ryan, Scharrenberg, Hunter and the other cohorts. This they want to stop if at all possible.

Even if the present strike results in nothing more than organization of the East Coast seamen, the shipowners are willing to spend millions of dollars to prevent the further cementing of East and West Coast unity.

The fakery have played every card in the deck as union officials and now they are forced to come out openly as shipowner agents and ship scabs to the struck ships. The '34 and Gulf strike exposed them, so will the East Coast walk-out shove them further down the long incline to oblivion. Washed up and desperate the fakery are fighting to keep their necks, it is a win all or lose all policy with them and they will resort to anything to keep above water.

As far as the Rank & File of the maritime workers are concerned there is no compromise. We have maneuvered out of many tough issues but now we are up against the basic issue of unionism and we must fight.

What's Doing? Look Around You
and write what you see to The Waterfront Worker.
Maybe you think things Are Not going just exactly

(Testimony of William C. McCuiston.)

Government's Exhibit No. 251—(Continued)

right; maybe things Are going right and you want to have your say about it—well, pick up a pencil and drop a line. The address is P.O. Box 1158, San Francisco. We're printing 'em, so get going.

* * * * *

Important Meeting Monday Night

* * * * *

Delegates to the I.L.A. Convention

Soon, we will be casting our ballots for the delegates to the Annual I.L.A. Convention. This convention is going to be a memorable one for the maritime workers of the Pacific Coast. The Paddy Morris, Lewis, Pedro Pete machine is slipping and to bolster it up they are resorting to the cheapest political tricks and slanders imaginable.

That is why, more than in any other previous convention, we must see to it that real honest, sincere, proven trade-union fighters are elected as delegates. We must elect brothers who have good union records and who are not afraid to take the floor and fight for the Rank & File at all times.

We can all remember last year's convention when one of the delegates had to be censored by the local membership before he would go along with the majority of 38-79 delegates. Today, that member stands charged with the stealing of union funds, falsifying the Labor Relation Board's minutes, etc., and is soon to face trial on these charges. We should see to it that such types of men do not represent, or

(Testimony of William C. McCuistion.)

Government's Exhibit No. 251—(Continued)
misrepresent rather, our local at the convention again.

When you ballot, look the nominees over very carefully. If you do not know all the nominees ask for information before you go into the hall to vote.

Be sure to vote for honest, sincere, proven trade union fighters! Protect your interests. Elect fighters.

Unite All Forces of Labor

All workers and workers' organizations who venerate the rôle of labor in American history, will turn out to demonstrate on May Day.

May Day in 1886 was a day of struggle for the Eight-Hour Day, a burning demand of that day. One even yet to be won by millions of workers. Unemployment, and long hours for employed workers; were then the evil that they are today.

On May First, 1886, a general strike swept all America. It won the Eight-Hour Day for hundreds of thousands. But victory has its sacrifices. Capitalism, to revenge itself, hung the leaders of the movement in Chicago, Albert Parsons and his comrades. But May day, and its celebration as a day of challenge against capitalism by labor, was born.

Today, more than ever, as a dying capitalism tries to cling to power with fascist fang and claw, the unity of labor on Labor's own day, May Day, is imperatively necessary to hold back the arrogant reactionaries.

Hearst and the Liberty League openly, others by

(Testimony of William C. McCuistion.)

Government's Exhibit No. 251—(Continued)
deceitful and covered means, are driving toward imposing a fascist regime of hunger and white terror upon the American people. The other day, Mr. Sloan, head of General Motors, remarked that now Big Business must not limit itself to running industry, but must, in effect, seize governmental power.

Against all such fascist challenges, a united May Day this year must hurl back the defiance of all workers, united and on the streets!

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ON THE SPOT Three Natural—Finks

Editors:

Big Emil—Pier 44, "Skinny" Russell—Pier 32,
"Gooseneck" Nelson—Pier 26.

Haven't seen The Big Fink Larsen for some time but "Skinny" Russell and "Gooseneck" Nelson have lost weight. I wonder why? Damn their rotten skins any way. It surely must be tough on those babies when they can't look their fellow-man in the eye, the big rats.

The shipowners say they are losing money but the California Stevedoring and Ballast Co. surely must be making "piles". Two dead-heads at Piers 26 and 28 in "Gooseneck" Nelson and "Stinking Feet" Gus, but Plant and Ludlow are no good at heart, so what can you expect?

A Plug In.

(Testimony of William C. McCuistion.)

Government's Exhibit No. 251—(Continued)

Nick, The Liquor Seller Has No Conscience

Nick's Liquor Store across the street, from the dispatching hall should be closed. If ever there was a man hungry for dough it certainly is that bozo because it matters not to Nick what stage of collapse the buyer is in if he has the dough he gets the liquor. Steps have been taken through different legal channels to have the place closed but so far no results. Maybe a joint delegation from all maritime unions can convince him to use some sense in selling his gas and firewater to the patrons.

* * * * *

All Hearst Publications Are

S--l--i--m--y

Do Not Read Them.

* * * * *

By Their Goodness Ye Shall Know Them

Dear Editor:

A write-up about Tony Ferrera didn't seem to set so well on his part and is blaming the wrong boys for sending in the article.

If the gang bosses did the right thing they wouldn't have their names in "Our Paper".

An Old Time Shoveler.

Sailors Do Not Forget

The steam-schooner, Florence Olsen, was discharging the other day when a Standard Oil barge pulled alongside to bunker fuel oil. When the scab bargemen brought the lines aboard the sailors chased them off the ship telling them they did not

(Testimony of William C. McCuiston.)

Government's Exhibit No. 251—(Continued)
want any finks aboard that ship. The finks left in
quite a hurry and the barge pulled away. No stand-
ard oil was bunkered.

* * * * *

Boycott Standard Oil

* * * * *

Honor Among Thieves

Strike-breakers in the New York building service
strike claim they received bad checks. The checks
were cashed but they bounced and bounced and
came right back where they started—into the scabs'
laps.

Hearst On the Make

Things are getting pretty hot in Washington for
Dirty Willie.

Last week at the Senate Lobby Committee Sena-
tor Sherman Minton said:

"Mr. Hearst wouldn't know the goddess of lib-
erty if she came down off her pedestal in New York
harbor and bowed to him. He would probably try
to get her telephone number".

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Whispering Campaigns and Stool Pigeons

From time to time whispering campaigns have
swept the Front in an attempt to undermine cer-
tain Rank & File leaders in the union. In 99 cases
out of a hundred if these campaigns were traced to
their source you would find that the same small
group of individuals would be responsible. To say

(Testimony of William C. McCuistion.)

Government's Exhibit No. 251—(Continued)

that some members of this group are in the pay of the shipowners and police is not enough. These individuals are a distinct menace to our organization and to the organized labor movement as a whole. Like rats that burrow, breed and fatten on refuse and garbage these individuals prey and lick their chops over some choice bit of slander which their degenerate minds breed.

Most generally their vicious lies are an attack against the known militants in the union. As an example, lately, their lies were directed towards some of our elected leaders, calling them dictators, etc. However, in the report of the special investigating committee it was found that in several cases where the individuals were doing lots of squawking about a dictatorship, that they were the ones who had wilfully violated some union or hiring hall rule.

Brothers, keep your eyes upon those members who are so quick to shout wolf against some of the proven fighters for our union. The quicker the rats who start and circulate such lying rumors are brought to trial before the membership, the sooner peace and harmony will reign in all maritime unions.

Boston Labor Council Assails Green Attack on Industrial Unions

The cause of industrial unionism won a signal victory at the last meeting of the Central Labor Union in Boston, when a motion was passed branding President Green's charges of dual unionism

(Testimony of William C. McCuiston)

Government's Exhibit No. 251—(Continued)
against the Committee for Industrial Unionism, as false and unfounded. The motion was introduced by a group of forty-eight unions.

Dirigible Commander Under Fire

When Dr. Hugo Eckener, famed dirigible commander, returns with Germany's huge new airship he will be stripped of his honors and ousted from his post in "disgrace" because he refused to name the new dirigible after Adolph Hitler. He tried to keep Hitler from using the two dirigibles under his command for propaganda purposes during the recent election campaign.

Protection Against Strikebreaking

"I favor a national Farmer-Labor Party in 1936 along the lines of the Gorman resolution at the A.F. of L. convention. I don't feel that the New Deal has met all the needs of labor, and I think a Farmer-Labor administration would really protect the workers against such strike-breaking and terror as we have been experiencing in Vermont".—James R. Gallagher, vice-president, Vermont Federation of Labor.

Unions Come To Aid of C. S. Victims

International unions of the American Federation of Labor and locals in 20 states have sent resolutions protesting against the further imprisonment to the prison board of the 8 young people who were convicted because they organized and won better conditions for the agricultural workers.

(Testimony of William C. McCuiston.)

Government's Exhibit No. 251—(Continued)

The C. S. Committee announces that a petition signed by 7 international unions demands that the C.S. prisoners be freed.

The resolutions call for repeal of the C.S. laws and charge that the convictions were a result of "an anti-union, strike-breaking campaign".

A broad conference composed of California trade unions, fraternal and other mass organizations has been called for Sacramento Sunday, April 19th.

Unity

Slaves are we
In a human chain
Millions of workers
By hand or brain
Selling our Power
Strength and skill
For a few lousy cents
that our bellies be filled
Toiling for parasites
Day and night long
Selling our strength
While we yet are strong.
Begging for bread
When we cannot work—
Begging for Life
From those who shirk.
Living in garrets
Dressing in rags
Life is a nightmare
Living is sad

(Testimony of William C. McCuistion.)

Government's Exhibit No. 251—(Continued)

Our hope is Ourselves

~~None~~ others will do.

We are the many

They are the few

Come All Together

Come One And All

United Stand—Divided Fall.

* * * * *

The man in the moon came down to earth,

And over the roads he sprinted;

Till he was pinched for vagrancy

And mugged and fingerprinted.

* * * * *

Dimitroff The Great Working Class Leader Calls:

"Anybody who does not stir a finger for Ernst Thaelmann's salvation and whether he wants it or not, is responsible for the crime of the German rulers. "Free Thaelmann!"

"Thaelmann's salvation is a matter of honor with the international proletariat and the duty of all honest people in the world".

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The Waterfront Worker is published by a group of rank and file stevedores, members of the I.L.A. Local 38-79.

Send all news to P.O. Box 1158, S. F.

(Testimony of William C. McCuiston.)

Government's Exhibit No. 251—(Continued)

The Mail Bag

Seattle Stevie Asks For Steward Delegation
Waterfront Worker

Dear Editor:

I wonder if you fellows in Frisco know that the officers of the district, some members of the District Executive Board, and even Fischer of the Federation are going from Local to Localand trying to run down Harry Bridges and what they call an irresponsible bunch of reds on the Frisco Front. I know you will think it strange that they are using the identical arguments of the shipowners; nevertheless, it is true because they are doing just that. I can truthfully say that the union members up here are not going to be stampeded by anything so raw as that. Too many of us have also been painted with that same red brush. I can't understand why Bridges and some good delegation of gang stewards can't pay a visit up here and tell us the truth about conditions in Frisco. Hoping to see "Red" Harry up here soon,

I remain,

A Seattle Longshoreman.

Give Them Enough Rope And They Will Hang
Themselves

Dear Ed:

In my mind, one of the surprising factors about the special investigating committee is the findings. If you have noticed, despite the fact that; Captain Knopff has been suspended from office about one

(Testimony of William C. McCuiston.)

Government's Exhibit No. 251—(Continued)

month, that there has been no whispering campaign sweeping the front. I wonder if this is due to the fact that the Captain stands in more or less with that particular group who have in the past been so quick to start whispering slander about various militant union brothers. I can recall that at different times the Waterfront Worker pointed out that Knopff was not to be trusted and like the good book says, "and so it came to pass".

Another thing, dear Editor, have you noticed this same outfit that is always circulating slander about our militant leaders came to Knopff's defense in a round about way—they said "the Board of Trustees had no right to suspend Knopff etc".

One by one the phonies are being eliminated and the militant unions are becoming stronger and stronger. Some wise old man once said, "Give a calf enough rope and he would hang himself".

For less phonies in the unions.

A Rank & Filer.

Luckenbach Boss Moves Against Militant Member
Dear Editors:

At last Mike Comer, a Luckenbach boss has made good his promise to get rid of all militant men out of his gang. No sooner did Mike take the gang over then he immediately started to show the men how to work. Naturally, all the militant union men would not accept this speed-up and most generally they quit. The steward would not stand for his line and one day told him what he thought of him as a

(Testimony of William C. McCuistion.)

Government's Exhibit No. 251—(Continued)

boss. Finally, when the gang was pretty well-filled with pork-chop conscious men he used an old trick telling the gang the only way to get in more time was to get rid of this steward because the steward was slowing down the job. For this reason the walking boss would not give the gang good jobs. The results were the steward was voted out of the job. This system was used in the Blue Book days and must be stopped. The only thing the gang and the boss are interested in is extensions.

One Who Knows The True Conditions.

* * * * *

The Waterfront Workers Is

Your Paper —Write For It

* * * * *

"A Pretty Hard Nut To Crack" Says Tacoma
Old Timer

Editors:

I read the Voice of the Federation and the Pacific Coast Longshoreman and I want to know why doesn't Frisco write more news to these two papers?

I'm an old timer from Tacoma and I just want to say that you fellows in Frisco are good fighters and I admire you very much, but you must remember, that a few years back you were all in a company union and when you go back even further than that, you will find the record of Frisco smells kind of bad. We are not saying you aren't good union men now but we think we rate knowing what you are doing. There isn't any local that can get

(Testimony of William C. McCuistion.)

Government's Exhibit No. 251—(Continued)

along by itself. Up and down the coast our interests are the same and I realize that Frisco has led the fight even when our district officials were sitting back on their hands. I say again, write more Rank & File news from Frisco and if we continue to hold and to build our Ranks still stronger, the shipowners are going to find us a pretty hard nut to crack.

Sincerely,

A Tacoma Old Timer.

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Visitor Says "We Need More Coastwise Unity."
Brother Editor:

I am a visitor from the northwest and want to give a few of my impressions of Frisco. We have the fakers concentrated in the northwest and one would get the impression from reading the Pacific Coast Longshoreman that the Rank & File believes all this hooey being circulated about Frisco. Such is not the case. The Northwest Rank & File understand what Frisco is up against. We realize that the first blows struck by the employers against the unions are most generally struck in Frisco. First, because that is the largest and best organized port.

I do not wish to find fault with the way Frisco has fought back these attacks, but I do not see why the Coast was not told more in detail what Frisco was doing and why they were doing it?

From the short time I have been here I have

(Testimony of William C. McCuistion.)

Government's Exhibit No. 251—(Continued)

found conditions in general much better than in other ports. I also found that the men cooperate and work together 100% with their officials and gang stewards. I like it find here but must soon return to my home due to my family connections.

Yours for More Coastwise Unity,
A Northwest Visitor.

Unionism Is Spirit of Gladness Among Workers.
To the Waterfront Worker
The Eidtor
Sir:

At present I am working on a permit from I.L.A. 38-79 on the Frisco waterfront. Naturally, I am very interested in the Rank & File methods of conducting your local's order.

The power of the Rank & File comes in listening to the Rank & File. Am I correct? Rank & File means direct ruling—sane, of course, from the members of the body or local. Granted?

Unionism or Brother-Hoodism is a spirit of gladness towards workers of the sweat; that is, an open hand to all brothers of union labor. Thus, unionism is discrimination and animosity to no member in good standing.

One definition of a member in good standing is one who has a good strike record, taking into consideration that he is a union man in all other things. Do you agree?

(Testimony of William C. McCuiston.)

Government's Exhibit No. 251—(Continued)

Definition #2, or definition the last is the member in good standing who has joined the union after the 1934 maritime strike, and can show to the satisfaction of all concerned just what his activities were before the 1934 strike. Can I be proven wrong in the above statement?

My summary:

Privileges granted to strike members in good standing should be granted to all members in good standing. Therefore brothers' would be brothers, incomparable Partiality should be stamped out. Suspicion and hatred would tend to lessen. Noblesse oblige.

Fraternally,

Member Local 38-93 Stockton.

It Looks Like an Attempted Whitewash.
Waterfront Worker Editors:

At our last membership meeting it seemed to me that Charlie Connors was trying to white-wash Bro. Knopff when he stated that Knopff was willing to make the check good, but the P.G. & E. had already mailed a duplicate check; therefore, the captain did not owe the Relations Board anything.

Maybe Bro. Knopff does not owe the Relations Board anything but he owes the organization plenty—not in monetary wealth, however, but in the loss of confidence and respect when a brother betrays the trust put in him by the Rank & File.

That \$60 check could be made good a thousand times, but it would never bring back the confidence

(Testimony of William C. McCuistion.)

Government's Exhibit No. 251—(Continued)
and respect which Captain Knopff once held in
Local 3879, and it is surprising to me that Charlie
Connors did not look at it from this angle.

That part of the report of the special investigating committee which stated that in the future any
local or hiring hall official who would be proven
guilty of discriminatory action or favoritism would
automatically be expelled from the organization I
concur with 100%.

I have suffered black-list.

Just a Longshoreman.

Suggested Coffee and Cake for Walking Bosses.
Waterfront Worker
Editor:

I agree with your comments in regards to a school
for permit men. My beef is there ought to be a
school for these company walking bosses who carry
an I.L.A. book because they have to. They have no
use for the union because they are chiseling all the
time, asking for big loads, etc. Take Van Dahl of
the Haywire—he is always doing it. Also he buys
the finky Examiner and is proud to read it on the
Ferry boat in the restaurant where everybody can
see him. So in closing let me suggest that the I.L.A.
have an open house for all these faking walking
bosses and have sandwiches and coffee so you will
have them all present.

Observer.

(Testimony of William C. McCuiston.)

Government's Exhibit No. 251—(Continued).

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Murder Plotted Against Maritime Leaders.

**Ivan Hunter Resorts to Gangster Tactics to Rub
Out Rank and File Leaders.**

With the phoney A.F. of L. officials shouting "frame-up" at the top of their lungs, Ivan Hunter, I.S.U. secretary-treasurer faces grand jury charges on attempted murder.

Ivan Hunter, a phoney and black guard from away back was one-time bootlegger pal of stool-pigeon Friedhl, who was accidentally killed by the Los Angeles police. They were bootlegger pals until a bigger and better organized mob chased them out of Detroit.

Hunter was sent to the West Coast with instructions what to do to bring peace (?) and harmony (?) to the West Coast maritime situation. Running true to form Hunter came West and tried to use tactics that Ryan and other gangsters used to grab off certain chunks of the labor movement. He attempted to rub out all opposition but "Old Man" Hunter ran into a few obstacles that knocked his plans cock-eyed.

On the West Coast we have union officials that are wide awake and Rank and File that is organized and prepared to act. "Old Man" Hunter was stopped cold.

While the phonies cry "frame-up" the Rank and File burst into loud guffaws. What could be

(Testimony of William C. McCuistion.)

Government's Exhibit No. 251—(Continued)

more ridiculous? Everyone knows that the cops certainly do not love any maritime union man, especially the militant leadership. To even think that the police would take part in a frame-up of a phoney is worth more than a laugh. It is good for two laughs.

Apparently nothing is too low for such union officials as Hunter. That "Old Man" has his own understanding of unionism, which means how much dough can I get out of this? His idea of organizing means to organize his way. His way is the shipowners way. Any individual or group who opposes his way means that the individual or group will have to keep an eye on such leaders as Hunter for their own personal safety.

"Old Man" Hunter must be shown that San Francisco is not Chicago. That by "rubbing out" a few officials will not solve the problem for the reactionary officials. The maritime unions do not rest upon individual leaders. It rests upon the shoulders of each and every member of the different unions. Hunter does not realize this fact. He has had no experience with the Rank & File trade unionists. He will get some now.

The conspiracy against King and the others is also against us and against every progressive trade-unionist in the nation. Mr. Hunter is not alone in his fantastic plot. His plan fits in with the shipowner's plan to smash the waterfront unions. A few weeks ago, District Council #2 of the Federation, forewarned its affiliated unions of the union—

(Testimony of William C. McCuistion.)

Government's Exhibit No. 251—(Continued)

smashing plans of the shipowners and of the international officials.

According to the evidence submitted Hunter stated he was afraid of the "Feds"—that the "Feds" would dig right down to the bottom. He must have plenty to hide.

Now, more than ever, we must insist on a public congressional investigation. The public, through open hearings, should know what the shipowners and our international officials are trying to do. A congressional investigation would expose the connection between the shipowners and the different phoney officials, who are doing everything humanly possible to wreck the Rank & File and our wonderful organizations.

A congressional investigation would block any further attempt to do murder. The shipowners, "Old Man" Hunter, and the district leadership of the coast are afraid of the "Feds"? And they have good reason to be.

• Demand a Congressional Investigation at once.

[Endorsed]: Filed June 2, 1942.

Mr. Del Guercio: I would like to call the Court's attention to the following that appears in this issue:

"Dimitroff, the great working class leader, talks".

(Testimony of William C. McCuistion.)

By Mr. Del Guercio:

Q. Mr. McCuistion, who is Dimitroff mentioned in this paper?

A. Dimitroff is a member of the highest committees in the Communist International; was one of the defendants in the Reichstag fire in Germany; one who was acquitted and subsequently given permission to return to the Soviet Union. He is an international leader of the Communist Party. [1939]

Mr. Gladstein: Was there just a mention of that, Mr. Del Guercio?

Mr. Del Guercio: Yes.

Mr. Gladstein: I suppose that fire was mentioned in the San Francisco Examiner and other papers, too?

Mr. Del Guercio: I don't think I am calling for any comments of Counsel at this time. It isn't necessary for him to interrupt.

Presiding Inspector: No.

By Mr. Del Guercio:

Q. Now, you said the second time you met Harry Bridges was in the headquarters of the Communist Party in San Francisco. A. Yes, sir.

Q. Did you meet him at any time after that?

A. The next time I met him was in December, 1936, Madison Square Garden in New York City.

Q. And what was the occasion of that meeting?

A. That was a meeting called by the Seamen's Defense Committee and financed by the Communist Party, at which I was Chairman and Harry Bridges was the main speaker.

(Testimony of William C. McCuistion.)

Q. You say you were Chairman of what?

A. Of the meeting at Madison Square Garden.

Q. Were you connected with the strike committee?

A. I was a member of the strike committee.

[1940]

Q. Who called the strike?

A. The strike was called by the striking members of the International Seamen's Union.

Q. And you were a member of the strike committee?

A. I was a member of the strike committee.

Q. Who were some of the other members of that committee?

A. Other members were Joe Curran, Al Lannon, Ted Lewis.

Q. Who? A. Ted Lewis.

Q. Ted Lewis?

A. Walter Kaner, Jack Lawrenson, MacBride, Jerry King, Patrick Keenan, Peter Innes, Alfred Rothbart.

Q. Who?

A. Alfred Rothbart, "Riffraff" Rolph. I could go on for names. There is quite a few of them.

Presiding Inspector: Mr. Reporter, will you read back the answer to the question about "Who called the strike?"

(The answer referred to was read by the reporter as above recorded.)

Presiding Inspector: Is that what you meant to say?

(Testimony of William C. McCuistion.)

The Witness: And the Seamen's Defense Committee. I might explain in that that one organization that participated in the strike was the Marine Firemen, and I was an official of that organization and we called a strike separately sometime after the striking members, the rank-and-file, called the strike. [1941] We called ours officially after a vote, because we were affiliated with the American Federation of Labor and such was required by our constitution.

Presiding Inspector: That explains the matter. I didn't understand.

By Mr. Del Guercio:

Q. Mr. McCuistion, was the Communist Party in any way connected with that strike?

A. The Communist Party actively was connected with it. They held daily meetings of the members of the Communist Party who were also leading activists in the strike and leading members of the strike committee.

Q. Did they direct the strike?

A. They directed the policy of the strike from the very beginning to the very end of the strike.

Q. Now, do you know how arrangements had been made to get Harry Bridges to appear in Madison Square Garden to speak?

A. Yes, sir. I know that the arrangements were made. First there was a teletype request for Harry Bridges to come to speak, and we couldn't get any definite answer, "Yes" or "No." Rathborne was speaking for Bridges evidently at that time and said

(Testimony of William C. McCuistion.)

he thought he could prevail on Bridges to go. Later on we contacted Peter Innes, who was a representative [1942] in San Pedro, and Peter Innes was instructed to go to San Francisco to exert pressure on Harry Bridges any way he could to get Harry to come over.

The reason for that was that we decided that the strike morale was at a pretty low ebb and that it would pep things up a little bit for Harry to come over and talk to the boys on the East Coast. But finally we got a flat refusal from Harry Bridges to come.

Following that, why we withdrew to 737th Avenue I say "we"—the members of the Communist Party withdrew, the leading ones, and they invited me to come along and, although I wasn't a member of the Party at that time, I was cooperating fully with them.

Q. Who was in that party?

A. That was Roy Hudson, who called the meeting of the fraction, Thomas Raye, Al Lannon, Jack Lawrenson, and the section organizer of the Communist Party of the Waterfront Section, a fellow by the name of John Robinson, and a few others I couldn't call, but they were all leading members. All of the ones there were leading members; and the conversation and the discussion was participated in principally by Hudson and Lannon and Raye.

Q. Now, were all the persons that you mentioned members of the Communist Party?

A. Yes. Roy Hudson was attending the fraction,

(Testimony of William C. McCuistion.)

represent- [1943] ing the Political Bureau of the Communist Party.

Q. Was he connected with any union at that time?

A. No. He was head of all marine work of the Communist Party; but he didn't carry a membership in any union.

Q. How about Tommy Raye?

A. Tommy Raye was a member of the International Seamen's Union rank and—the rank-and-file group. That is, got up a rank-and-file group with rank-and-file trustees in the Sailors' Division.

Q. What happened at this meeting?

A. At this meeting we brought up the question that the strike committee itself was threatening to rebel and call the strike off prematurely, or that the morale of the strikers was so low and that the Party would have to do something about it. So the decision was made. Hudson said that the same thing had been discussed in the Political Bureau and that the Political Bureau of the Party was in thorough agreement with the getting of Bridges to the East Coast to speak at a meeting in Madison Square Garden, a pep meeting, a rally for the strikers; and that as such the Party was perfectly willing to finance it, and that the instructions to finance it had been given already to David Leeds, who was the Financial Secretary of the New York District of the Communist Party. And with that, why, we took a quick vote in there. I did not vote because I wasn't eligible to vote, but it was unanimous that Tommy Raye

(Testimony of William C. McCuistion.)

[1944] get in immediate touch with Harry Bridges and tell him that it was a Party decision that he come East and that he come East.

Q. And did Tommy Raye get in touch with Harry Bridges?

A. Yes. I made the telephone call from the strike headquarters. I called up Pete Innes. I called up the office here. I forget the number, and I asked for Pete Innes.

Q. Pete Innes? "Pete" did you say?

A. Peter J. Innes is his full name. We just called him "Pete," that was all.

Q. How do you spell it?

○ A. P-e-t-e-r I-n-n-e-s.

Q. Where was he at that time?

A. He had come to San Francisco on instructions from the strike committee to try to put some pressure on Bridges to come over.

Q. And did you contact Innes?

A. Yes. I contacted Innes, I told him to get ahold of Bridges and take Bridges to a pay phone and have him call up a number in New York. I gave him a number of another pay station in New York. Innes said "All right." A few minutes later we received the call from the West Coast. I spoke to Innes first, and then I said "Tommy Raye wants to speak with Bridges. Have you got him? He said, "Yes."

Tommy Raye took the phone. Tommy Raye, Al Lannon and myself were there. I left the booth half open. Evidently [1945] there was some arguing on

(Testimony of William C. McCuiston.)

the other end of the phone, but Tommy Raye told Bridges it was Party Orders, "The Political Bureau and the fraction have made the decision. You have to come."

And with that there wasn't more than a word or two more and "goodbye." Of course, Raye told him—he said, 'Make that official by sending the news that you are coming over the teletype.' He says, "Otherwise, we are liable to have a rebellion of the strike committee on our hands here."

So the conversation ended, and a few minutes later at strike headquarters confirmation came in, and Harry Bridges changed his mind and sent word to the East Coast that he had decided to come and speak at the meeting [1946]

Q. Why didn't Tommy Raye speak with Harry Bridges at Bridges' office?

A. Because there was a report, which I believe was true—after all, the bosses have ways of fighting against us—and we thought the wires were tapped. Whether they were or not we didn't know. But we had every reason to believe that the shipping companies had tapped the wires of our phone at New York, and probably Bridges' phone in San Francisco.

Q. Was it for that reason that you used a pay telephone?

A. Yes, sir. All intimate conversations were always conducted over a pay telephone. Routine Union business was conducted over the Union telephone, or via the teletype.

(Testimony of William C. McCuistion.)

Q. You spoke about a teletype. Did you have a teletype between—

A. (Interposing) Strike headquarters in New York.

Q. Between New York and whom?

A. What?

Q. Between whom?

A. Between San Pedro and between San Francisco.

Q. Who was at the San Francisco end of the teletype?

A. The Maritime Federation, or whatever they had out here—I don't know whether it was in the Maritime Federation's name, or whose name it was, but we had a call number, to call San Francisco and contact them.

Q. Did Harry Bridges speak at the Madison Square [1947] Garden meeting?

A. Yes, sir.

Q. Do you remember the date he spoke?

A. No; it was around the middle of December; that is all.

Q. What year? A. 1936.

Q. Did you meet Harry Bridges after he had spoken at that meeting?

A. Yes. I met him in an ante-room in the rear of garden.

Q. Who were present?

A. Present were David Leeds, Joe Curran, Tommy Raye; for a few moments, Roy Hudson, myself;

(Testimony of William C. McCuistion.)

and for a little while, Peter Innes, until Bridges excused Innes from the meeting.

Q. How many of those present were members of the Communist Party?

A. Everyone except myself and Innes.

Q. You say Innes was only present for a little while?

A. He was present just for a short period of time.

Q. And he left. A. He left.

Q. Was any discussion had, any conversations had between anyone after Innes left?

A. Yes. There was a general conversation of what could [1948] be done, how the Party could work to pep up the strike, to make the strike more effective.

There was a discussion of whether we would seriously begin to contemplate the calling off of the strike and the return to work on the best basis possible.

There was a discussion of how the Communist Party could really work to bring about this end without being called defeatists, and without being accused of wrecking the strike.

Everyone participated in the discussion.

There was also a discussion of finances. I had taken a collection up, which was several thousands dollars in cash and—

Q. Interposing) Who did you turn that over to?

A. I turned that over to David Leeds, the financial secretary of the Communist Party.

(Testimony of William C. McCuiston.)

Q. Was he connected with the Strike Committee?

A. In no way whatsoever.

Q. Why did you turn it over to Leeds?

A. Because I had instructions to turn all the money over to Leeds from the Party itself. The Party had financed the meeting and the Party took all the proceeds.

Q. Was Leeds a Union man?

A. He had no connection with the Waterfront; never had been a seaman in his life, or longshoreman, or belonged to any Union as far as I know. [1949]

Q. What happened then.

A. There was a little beef started between Leeds and Bridges on the question of expense. Bridges stated that his expenses had been guaranteed over there; that he couldn't very well stick his membership for the expenses.

Leeds, of course, quarreled a little about the money, but nothing to amount to anything. Leeds handed Bridges something over \$500. I think it was \$520 or \$525.

Q. Did you see Leeds hand over that money to Bridges?

A. I saw Leeds hand over the money to Bridges, and Bridges gave Leeds an initialed receipt.

Q. Did anything else occur at that meeting?

A. Nothing further except it was—I raised a little beef about the money too. I said I probably would have a hard time explaining to the seamen; when they came up to get carfare to go out on the

(Testimony of William C. McCuistion.)

picket line, if I had to tell them that we were broke, I would have a hard time explaining what had become of the collection, the money we got at Madison Square Garden. I was of the opinion that the Party could wait for their money and let some of the money go down there.

It was agreed that any pledges that we could collect we could keep. But the Party had to have the cash because they needed it.

The upshot of it was that the amount of money turned over to Frank Jones, Treasurer of the Seamen's Defense Committee, was [1950] considerably less than was handed over to Bridges for use of the strikers.

The Garden meeting was a profit. The party came out ahead and, with what was collected from sympathizers, they probably made \$4000 or \$5000 profit on the meeting. But we didn't get it on the waterfront.

Q. Did Bridges render an itemized account of his expenses?

A. No; except to say that he needed sufficient money to cover it. There was no itemized account, or anything. We had a hard time explaining that in our subsequent meeting of the Strike Committee. They wanted to know who paid Bridges—some of the more inquisitive ones wanted to know how the thing was financed. We had to cover it by saying, "Well, we just borrowed the money from some private sources that don't care to have their names involved in it." We covered it up in that manner.

(Testimony of William C. McCuistion.)

Q. Did Bridges say it was for his expenses for coming to the East Coast?

A. Yes; that it was for his expenses coming there, and for a trip up to Boston and down to Baltimore, and a few places he went. I didn't follow where he went.

Q. Do you know if he said he had paid the expenses of that trip?

A. Yes; he paid the expenses himself, but was given this money by Leeds. [1951]

Q. Did you ever see Bridges at any time after that?

A. No. I have never seen him since that time, except just a passing glance at him, and seeing him here today.

Q. Were you ever in the Army?

A. Yes sir; I was in the Army.

Q. When?

A. In 1919 I was in the Naval Reserve, called the Junior Naval Reserve, New London, Connecticut, during the war. Then in 1919 I joined the Army.

Q. Were you honorably discharged?

A. Yes.

Q. Did you receive any medals while you were within the Army?

A. I received the Treasury Department Medal of Honor for lifesaving while I was in the Army.

Q. Did you receive any other medals or mention?

A. I received the Maltese Cross of the Catholic

(Testimony of William C. McCuiston.)

Church from the Sisters of Charity for actions at the same time and for practically the same type as the other Medal was awarded.

Q. The same people involved?

A. No; there were different people involved, but at the same time.

Q. Did you join any Loyalist cause in France—in Spain, during the Spanish war?

A. Yes, sir. I left the United States March 27th and [1952] I joined the International Brigade, and stayed in Spain for some 15 months. Subsequently I deserted and came back.

Q. When did you leave the United States?

A. I left the United States March 27, to the best of my memory, on the French Line Steamer Paris.

Presiding Inspector: What year?

The Witness: 1937.

By Mr. Del Guercio:

Q. And how were you recruited?

A. I was recruited by request. I went to the Communist Party and told them that I wanted to go to Spain.

Q. Who did you see in the Communist Party?

A. I saw A. W. Mills, of the Central Organizational Department of the Communist Party. I had a meeting with him and Bill Lawrence, who was handling the recruiting at that time, and several others.

Q. How many went over with you to Spain at that time?

(Testimony of William C. McCuistion.)

A. 25; four of the group we contacted on the ship. They had been sent over by the Socialists. 21 were sent over by the Communist Party.

Q. Who paid the expenses?

A. The Communist Party bought the tickets from the World Tourist and furnished me with money to give to each member of the group that was going.

Q. Were in charge of the group? [1953]

A. I was in charge, in co-charge with a boy by the name of Walleck, subsequently executed by the Communists in Spain.

Q. Who was that?

A. Albert Walleck was the name he used; but his passport, the name he used on his passport was A. Wallace.

Q. Did you say you were given funds by the Communist Party for the trip?

A. Yes; by A. W. Mills, of the Central Committee.

Q. Were you given any other funds?

A. Yes. I was given a package of money. I was told that it contained approximately \$3000 and that was to be delivered to the Communist Party of France.

Q. On what ship did you sail?

A. On the Paris.

Q. All 25 of your group?

A. All of us went together. The four we met on the ship that came from the Socialist group. We went on the ship, the 21 of us in our group.

(Testimony of William C. McCuiston.)

we boarded in groups of two and three. We held a meeting after the ship was at sea.

Q. When did you arrive in Europe?

A. Well, I couldn't call the exact date, but some five days later.

Q. Where did you land? A. At Le Havre.

Q. Where did you go from there? [1954]

A. From Le Havre we went to Paris.

Q. Did you turn over the money that had been entrusted in your care?

A. Yes. I turned over the money—I forget the fellow's name, but I think it was Moreau—M-o-r-e-a-u—and I got a receipt.—He was thoroughly identified to me in the headquarters of the Communist Party of France.

Q. Then where did you and this group go?

A. We went to Perpignan, France. From there we took autos to the foothills of the Pyrenees. We climbed them and reported in to Figueras and Catalonia.

Q. And to whom did you report?

A. We reported to the Political Commissar in charge.

Q. To the Political Commissar? A. Yes.

Q. I thought you were going to Spain to fight for the Spanish Army? A. We did too.

Q. Was he the Political Commissar of the Communist Party?

A. He was. The Communist Party furnished the Political Commissars for the Peoples Army and for the International Brigade. The Commis-

(Testimony of William C. McCuistion.)

sars held equal rank with the Military. The only difference was the Commissars, they wore the same kind of polished boots, and high pressure caps, but instead of [1955] wearing gold insignia, they wore a red insignia and a red star encircled to show their rank.

Q. Were you assigned to any particular regiment?

A. I was assigned to the training headquarters at Madrigueras—M-a-d-r-i-g-u-e-r-a-s.

Q. Did you see any active fighting?

A. Very little. My total active service on the front was about 45 days. I dodged it as much as possible.

Q. Were you wounded?

A. I was wounded at Brunette; yes, sir.

Q. Where were you hospitalized?

A. I was hospitalized at Castillojo and Villa Paz.

Q. Were you wounded more than once?

A. I was wounded in an air raid in Barcelona later on.

Q. How long did you serve in Spain?

A. 15 months.

Q. Then what happened?

A. Then I deserted—I climbed the mountains into France and came back to the United States.

Q. Why did you desert?

A. I deserted because I went over there originally for a period of six months. I didn't like the war. I didn't want to get killed. I was pretty

(Testimony of William C. McCuiston.)

much afraid for my own hide. I knew we were fighting for a lost cause over there. The battle was lost already. We had been sold out by the Communists and [1956] sold out by Russia; even sold out by the popular front government of France. We didn't have a chance to win. The political commissars got the gravy and we got the work. So I decided it was time for me to get back. In fact, I had been looking for an opportunity for three or four months. I finally did find it.

Q. When did you finally get back to the United States?

A. I got back to the United States around September of 1938; the early part of September or the latter part of August. I stayed in France several months after I left Spain.

Q. How did you get back?

A. I got back as a stowaway on the Crown City, a ship operated by the Maritime Commission.

Q. What have you been doing since your return to the United States?

A. I have been an official of the National Maritime Union. I was for a time Gulf Correspondent of the official organ of the National Maritime Union, the *Pilot*. Since that time, since July 1939, when I walked out of the convention of the National Maritime Union, I have been living by doing a little research work here and there, a little writing, and going in debt.

(Testimony of William C. McCuistion.)

Q. Have you been connected with the Communist Party in any manner since your return to the United States from Spain?

A. I have had absolutely no connections with them, except [1957] certain members of the Communist Party that I knew personally. We were personal friends before. Although we disagree on certain principles we still are personal friends. I have talked with them about what is going on now. That is about the only connections I have had with the Communist Party. I disagree thoroughly with the Communist Party and have actively opposed the Communist Party since my return.

Q. Have you ever been convicted of any crime?

A. Of a few misdemeanors. During my course as an organizer I have been convicted of assault.

Q. Were they all in connection with your activities in the Communist Party?

A. All in connection with Communist Party activities, and a few just of plain trade union activities; nothing serious. I never did any time, anything like that.

Q. Have you ever been charged with any felony?

A. Yes. I was charged with murder, at the instigation of the Communist Party, last year. I laid in jail some seven months waiting for trial and then was acquitted.

Q. When were you acquitted?

A. I was acquitted in January of this year.

Q. And where did the trial occur?

(Testimony of William C. McCuiston.)

A. In New Orleans. Before that I had been at liberty for some time, because the U. S. Courts in Washington had refused to extradite me. Finally, I got tired of having it hang [1958] over me, and I returned voluntarily, waived extradition, and returned voluntarily from Indiana.

Q. Since your acquittal has the Communist Party made any references to you?

A. Oh, yes. They have put out leaflets, and said that I ought to have been convicted, that I ought to have been hung; that it was a miscarriage of justice, and this and that. They have attacked me in the press almost consistently. In other words, they did everything possible to try to off-set the verdict of "not guilty."

Q. Do you have any such publication on you at this time from the Communist Party?

A. No. I had a leaflet, but I left it up in my room. It was put out recently.

Q. You testified before the Dies Committee, did you not?

A. Yes, sir; I testified before the Dies Committee.

Q. How did the Communist Party like your testimony before the Dies Committee, if you know?

A. They liked it so well that Joseph Curran, another Communist head of the National Maritime Union, and Raymond Torr, and Barney Halling, immediately tried to get me arrested on a charge of murder while I was testifying.

(Testimony of William C. McCuiston.)

The Washington Police informed them they had no request to pick me up.

The Federal Bureau of Investigation also informed the [1959] Dies Committee they had no request to pick me up.

So then these people got in touch with the New Orleans police by some hook or crook and got a warrant issued for me, for my arrest, for a murder, supposed to have taken place some couple of months previous to that.

Q. Had the Communist Party, through any of its agencies, attacked you and accused you of anything prior to your appearance before the Dies Committee?

A. Never in any way whatsoever, was I accused. In fact two weeks prior to my appearing before the Dies Committee I was walking back and forth, just as freely as anybody in the world, on the waterfront in New York, Baltimore, Philadelphia, and other places, getting up the testimony that I intended to present before the Dies Committee, I was doing this voluntarily.

Q. Since that time have you been prominently mentioned by the Communist Party through their various publications?

A. Since that time I have been called everything they could conceivably call a man.

Q. Did you know John Oliver Thompson?

A. Thompson, yes. I knew him just casually. I knew him first in Baltimore some years ago when he was a member of the Marine Workers Indus-

(Testimony of William C. McCuistion.)

trial Union. I knew him later working for the Party of New York as an elevator boy and janitor.

Q. Do you know how the waterfront section of the Communist Party here in San Francisco was formed? [1960]

A. I couldn't say just exactly how the waterfront section was formed, but I participated in the activities of the waterfront section of the Communist Party when there were only a few members, and I know of it by reports that we received from the Party here in San Francisco through our National Fraction in New York.

Q. Well, what were you doing in New York at that time?

A. At the time it was formed I couldn't state just what I was doing. I don't know what you me exactly by the question, how it was formed. It has been in existence a long time, practically since 1921. I couldn't tell about the formation of it at that time.

Q. Did you attend any meeting there in New York wherein the waterfront section of the Communist Party of San Francisco was discussed?

A. Yes. I have attended dozens of meetings where the activities of the waterfront section of the Communist Party of San Francisco was discussed.

Q. With whom were these meetings held, who attended these meetings?

A. These meetings were held at regular intervals by members of the Political Bureau and the

(Testimony of William C. McCuistion.)

Central Committee of the Communist Party, and the National Fraction of the Marine Workers Industrial Union. [1961]

Q. Would the name of Harry Bridges, come up in these meetings?

A. During 1933, he was practically the chief topic of conversation at the majority of the meetings.

Q. Well, was any mention made of his activities in connection with the Waterfront Section of the Communist Party?

A. Yes. The first mention I remember being made of him in a prominent place was when we received a report from—

Mr. Gladstein: (Interposing) Just a moment! May I interrupt to make the same objection we have made heretofore to this line of questioning, upon the ground it calls for hearsay?

Mr. Del Guercio: Is that the only objection?

Presiding Inspector: I don't know what the point of this is. I think I will take it, not for the purpose that you seem to have in mind. I think it may have some materiality.

Mr. Del Guercio: The purpose of it is to show the general scheme, your Honor, of what is going on.

Presiding Inspector: Yes, I will take it.

By Mr. Del Guercio:

Q. Did you finish your answer?

A. Yes. I received and read reports coming

(Testimony of William C. McCristion.)

directly from Communist Party headquarters in San Francisco transmitted to the Central Committee of the Communist Party in New York, and by them handed to me as a member of the National Fraction [1962] of the Marine Workers Industrial Union to read and to study and to make certain recommendations on the basis of reading these reports.

Q. Did you make any recommendations?

A. Yes. I and the other members of the National Fraction made a decision that the main concentration of the Party's activities should be directed in two ways: One towards the organization of seamen on the Munson Line and particularly on the East Coast and the Gulf, and the organization of longshoremen on the West Coast; and the other ports secondly.

Q. Was Harry Bridges discussed in that scheme?

A. Yes. Harry Bridges was discussed. The report stated at that time that there was in existence a "dock nuclei"—they called it the "Luckenbach dock nuclei," they called it at that time, that there were only eight longshoremen members of the Communist Party in San Francisco at that time, early in 1933, and that Harry Bridges was one of those eight and that he held the greatest possibilities for developing into a national leader in the maritime field. And it was decided that every cooperation would be given out here to the extent of diverting a part of our New York subsidy

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Harry Bridges vs.

(Testimony of William C. McCuistion.)
to San Francisco to be used for the purpose of
building Harry Bridges up.

Presiding Inspector: It is not very material.

Mr. Del Guercio: Sir?

Presiding Inspector: Not very material. Not
as proving [1963] any membership. It may be
material in other respects. I don't take it on that
ground.

Mr. Del Guercio: No, but to—

Presiding Inspector: (Interposing) Go ahead.
All right.

Mr. Del Guercio: If the Court please—well, I
better show those to Counsel first.

That is all. You may cross examine.

Mr. Gladstein: Shall we start now?

Presiding Inspector: Would you rather wait
until 2:00 o'clock?

Mr. Gladstein: I think so.

Presiding Inspector: Very well. 2:00 o'clock.

(Whereupon 12:25 o'clock P. M., a recess
was taken until 2:00 o'clock P. M. of the same
day.) [1964]

After Recess

2:00 O'Clock P.M.

Presiding Inspector: You may proceed.

WILLIAM C. McCUISTION

called as a witness on behalf of the Government.

(Testimony of William C. McCuiston.)

having been previously duly sworn, testified further as follows:

Presiding Inspector: Have you anything further to ask this witness?

Mr. Del Guercio: With your permission I would like to ask a few more questions.

Presiding Inspector: Certainly.

Direct Examination (Resumed)

By Mr. Del Guercio:

Q. Have you ever been a member of the IWW?

A. Yes, sir.

Q. When were you a member of the IWW?

A. I was a member of the IWW roughly from 1919 to 1924. Part of the time I was also a member of the Communist Party.

Mr. Gladstein: What was that period?

(The answer referred to was read by the reporter as above recorded.)

By Mr. Del Guercio:

Q. During that period of time did you become familiar with its literature? [1965]

A. I became familiar with some of its literature. I was never very active in the IWW, but largely working for the Communists, more than the IWW, for the wrecking of the organization, or to take it over.

Q. I will show you a book here called "The IWW, Its History, Structure and Methods", by Vincent St. John, and I will ask you if that is

(Testimony of William C. McCuiston.)

one of the pieces of literature that was circulated by the IWW?

A. Yes, sir; I remember this being written by Vincent St. John, and with the IWW shield on the book, and I remember having read it; yes, sir.

Mr. Del Guercio: I offer this in evidence, if your Honor please, as Government's Exhibit next in order.

Mr. Gladstein: I do not think a proper foundation has been laid, or proper identification has been made by the witness, and I object to it on that ground.

Presiding Inspector: I think you had better identify it more fully.

By Mr. Del Guercio:

Q. Do you understand this as being genuine IWW literature?

A. Yes, sir. I identify it for several reasons: One, is the shield of the organization, with the letters "IWW" and the three stars, standing for "Organization, Education and Emancipation," if I am correct; and the words beneath that [1966] signifying the international set-up of the organization. Also the fact that Vincent St. John is recognized, was recognized at that time, and still is recognized, as the leading theoretician of the IWW.

Presiding Inspector: Have you read that?

The Witness: Yes.

Presiding Inspector: Did you read it while you were a member of the IWW?

(Testimony of William C. McCuiston.)

The Witness: Yes, sir. This came out in several different editions.

Presiding Inspector: Do you know the general tenor or the principles of the IWW?

The Witness: Yes, sir; I know the general tenor.

Presiding Inspector: Is this book an expression of them?

The Witness: This is the expression of the writer who was a member of the IWW, and was regarded as the theoretician of the IWW at that time. The IWW at that time gave great leeway to the membership in the expression of their opinions.

Presiding Inspector: Does it state, or does it not state the principles of the IWW?

The Witness: Yes; it states the principles of the IWW.

Presiding Inspector: I think I will take it. You don't object with that explanation, do you?

Mr. Gladstein: I think the objection should still be recorded. [1967].

Presiding Inspector: You had better interpose your objection at this time.

Mr. Gladstein: At this time I still don't think an appropriate foundation has been laid for the introduction of the document, so we will make that objection.

Mr. Del Guercio: I will offer it.

Presiding Inspector: You are not going to leave it in just that way, are you? There will be other testimony about it?

Mr. Del Guercio: Yes.

(Testimony of William C. McCuiston.)

Presiding Inspector: I will receive it subject to your later motion to strike, Mr. Gladstein.

Mr. Gladstein: Thank you.

(The booklet referred to was received in evidence and marked Government's Exhibit No. 252.)

Mr. Del Guercio: Of course, if your Honor please, another ground upon which we offer it—

Presiding Inspector: (Interposing) I beg your pardon?

Mr. Del Guercio: There is another ground upon which we offer this. It is a booklet, of course, on which appears the seal of the IWW.

Presiding Inspector: But it doesn't prove itself.

Mr. Del Guercio: It doesn't prove itself. I know that.

Presiding Inspector: You will have to have some proof.

Mr. Del Guercio: I think that is a sufficient founda- [1968] tion for the identification of it.

Presiding Inspector: I am going to receive it now anyway.

Mr. Del Guercio: Yes.

Presiding Inspector: And we will see how far you connect it up. Of course, it seems to have little relevancy as yet. We don't know much about the IWW. It has been mentioned once or twice, but not with any definiteness.

Mr. Del Guercio: I want, without reading the various excerpts from this, to call the Court's attention to the following pages: 10, 15 and 16.

(Testimony of William C. McCuistion.)

By Mr. Del Guercio:

Q. I will show you another booklet called "Sabotage, Its History, Philosophy and Function", on the back cover of which appears this: "IWW literature, IWW publishing house, 1001 West Madison Street," and ask you if you have ever seen this?

A. I have seen the pamphlet and I am familiar with this list of pamphlets and the nature of the address of the publishing house. However, I couldn't say that it represented the policy of the organization or anything like that, except that I have seen the book in IWW halls and Communist Party halls and in Marine Workers Industrial Union halls. I think I have a copy of it myself.

Q. You have seen this in IWW halls? [1969]

A. Yes. Yes, sir.

Q. You are not an expert on the IWW?

A. No, sir. I am not an expert on IWW matters.

Q. But you have seen this booklet in IWW halls during the time you were in the IWW organization?

A. Yes, sir. I have seen the booklet.

Mr. Del Guercio: I offer this in evidence, if your Honor please.

Presiding Inspector: No. I will exclude that. He might have seen Smith's "Wealth of Nations" there.

Mr. Del Guercio: Well, I offer it for identification.

Mr. Gladstein: No objection to that.

(Testimony of William C. McCuistion.)

Presiding Inspector: Yes. These may become important. I am not ruling on that. Only on the evidence produced. I think even the first is pretty tenuously established, but we will see about it when we get the case in.

(The booklet referred to was marked Government's Exhibit No. 253 for identification.)

Mr. Del Guercio: That is all, your Honor. I will turn him over for cross examination.

Presiding Inspector: All right. You may cross examine.

Cross Examination

By Mr. Gladstein:

Q. Mr. McCuistion; you say that you are now unemployed? A. Absolutely yes, sir.

Q. How long have you been unemployed? [1970]

A. I have been unemployed—that is, I haven't drawn wages since the months of July or August, 1939.

Q. For a continuous period since July or August, 1939 you have neither been employed nor drawn wages from any employer?

A. No. I received money for writings; I have received money for research work and I was in jail a good period of the time.

Q. What kind of writings did you make reference to?

A. A series of articles specifically for the National Republic Magazine; a series of three articles. They appeared monthly in 1940. I worked with

(Testimony of William C. McCuiston.)

various writers. I will give the names of some of them, in research work. I worked with Bob Russell, a well known writer.

Q. Excuse me. Before you go into research, are you making a distinction now between your writings and your research, or are they both a part of the same thing?

A. They are a part of the means of making a living.

Q. All right. You mean they are connected, they are integrated? A. Yes, certainly.

Q. All right. Now, proceed.

A. I worked on this in Washington. I assisted Mr. Ralph Emerson and I assisted various other people in Washington at various times in doing research on labor research largely. I [1971] even for different persons around there, received bits of money and this is largely the way my income has been based, through research and through writing, through borrowing from my friends.

Q. Since July, 1939 to date could you estimate the total amount of income you have received from both your writings and your research?

A. From both the writings and the research, I would estimate approximately a thousand dollars.

Q. Now, have any of your articles appeared under your own name? A. Yes, sir.

Q. Can you state some of those?

A. I will state only one that has appeared under my own name. That was a series of articles I sold to the National Republic Magazine.

(Testimony of William C. McCuistion.)

Q. On what subject, please?

A. This was the subject of the organizational structure of the Communist Party and how they developed the organizers within the Communist Party.

Q. What did you receive for that article?

A. I received for those articles approximately \$120.00.

Q. Would it be correct to say in a general way that the tenor or objective of that series of articles represented [1972] a hostile or antagonistic approach toward the Communist Party?

A. Absolutely not. In fact, the articles were decidedly the opposite. The articles were strictly an academic study of the structure of the Communist Party, such as could have been well written by a member of the Central Committee of the Party.

Q. You made no attack on the Communist Party at all?

A. I made no attack on the Communist Party, but I made attacks on the Communist Party methods; a certain attack on their methods only.

Q. Well, did or did you not attack the Communist Party or any of its activities in those articles?

A. No. I did not attack their activities. I merely attacked their methods of dealing with individuals. In fact, I think the articles were very charitable toward Communists themselves.

Q. You mean that you felt more antagonistic than the articles reflect?

(Testimony of William C. McCuistion.)

A. Oh, no. I mean that I feel sorry for the average Communist.

Mr. Del Guercio: Oh, if the Court please, I object to this.

Presiding Inspector: He can answer it.

By Mr. Gladstein:

Q. During what period of time did those articles [1973] appear in print? A. Yes.

Q. I say, over what period of time did those articles appear in print?

A. Well, over a period of three months. I should say, roughly, that they appeared in the April, May and June issues of 1940 of the magazine.

Q. What kind of activities or work is covered by the term "research" as you used it?

A. "Research" is serving whoever hires me to do any kind of work they ask me to do. Some of it was strictly reading and plugging study work in the Congressional Library. Some of it was the discussion with seamen, the discussion with long-shoremen, the discussion with workers in various other industries of their reaction towards certain things that were happening today, and the placing of these things in the proper order, giving them my opinion on these things and letting the other person do what they wished to do with them. [1974]

Q. Can you name some of the persons, the most important persons, or organizations, in the sense that these pieces of work were most remunerative and for whom you did this research work?

(Testimony of William C. McCuiston.)

A. Yes; I can name some of them. I did a little work for Dr. J. B. Mathews, Research Director of the Dies Committee; for Mr. Stribling, the Secretary of the same Committee; for Mr. Ralph Emerson, who is a lobbyist in Washington, D. C.

Q. Who was he a lobbyist for?

A. He is an independent lobbyist. He works for various people, like a lot of other people do in Washington. He didn't tell me his business. He merely hired me to do some work for him. I didn't inquire.

Q. Who else?

A. For Mr. Bob Russell, of Port Arthur, Texas.

Q. Who is he?

A. He is a writer. I don't know how to say it, other than that he can be located in the telephone book, and located through his agent. His agent is Mr. Blasingame, a well-known writers' agent in New York.

Q. Can you think of any others?

A. Yes. I am thinking of them right now. I did work for an attorney, Albert Koorie, in New Orleans.

Q. In what connection was that?

A. In connection with—that was in connection with [1975] the deportation proceedings instigated by the Communist Party against Arthur Thomas because of his anti-Communist activity in the Maritime Union, National Maritime Union.

Q. Proceed and name some of the others for whom you did this research work?

(Testimony of William C. McCuistion.)

A. That is all I care to name off-hand. My income through all of those didn't make me worry about my income tax, so I didn't keep accurate records.

Q. You say that is all you care to name. By that do you mean that you do have in mind others that you prefer not to mention?

A. No, I don't have others in mind. I have no secrets to keep in this matter. Others were casual. I made \$5.00 out of some and I made a few more dollars out of others. They were minor sums and it would be hard for me to recall the instances. After all, I was making a living.

Q. What was the largest amount that you received for any piece of research work of the character you have been describing?

A. I couldn't say just exactly. Perhaps the research in the Thomas case was the largest amount. I received approximately \$300 for that. Thomas didn't have very much money, and Koorie didn't have much money either. There was no national campaign to prevent him from being deported.

Q. Does this term "research", which you have used, include any kind of investigation on your part into determining [1976] what the ideas or opinions, political or otherwise, are of any particular individual?

A. Absolutely not.

Mr. Del Guercio: I object to that as a broad question and not material to the issues in this case.

Presiding Inspector: The witness has answered. He says "No."

(Testimony of William C. McCuiston.)

By Mr. Gladstein:

Q. You understood the question?

A. Yes; I understood the question—that you were implying that it involved my prying into the private opinions of individuals. That is something I do not believe in and would not participate in.

Q. Would that answer cover activities of individuals as well?

Mr. Del Guercio: I object to that, if your Honor please.

Presiding Inspector: I think I will allow it.

A. Activities of individuals—no. I wouldn't say it covered individuals whatsoever because, as I say, I have no interest in individuals and my lack of interest in what individuals do would prevent me from taking any kind of employment that would infringe on the rights of any individual, regardless of what his views were.

By Mr. Gladstein:

Q. Or his activities? [1977]

A. Or his activities.

Q. Would you say that you have fairly exhausted your memory now on the question of the research and writing that you have done, and, in fact, all the employment that you have had since July 1939?

A. Yes, I would say I have fairly exhausted it.

Q. Have you any income, aside from that which you receive from the writings and the research that you have described?

A. Only in the form of loans.

(Testimony of William C. McCuiston.)

Q. In no other form?

A. In no other form whatsoever, unless you call income the \$4.50 a day witness fees I am getting while I am here.

Q. Have any of these loans been, any individual loan, been more than \$100?

A. There was no individual loan of more than \$100; none that large.

Q. Now, have you not worked recently as a labor spy in the Gulf area of the United States?

A. I have not.

Q. Have you worked recently, or any time, as a labor spy anywhere else? A. I never have.

Q. Have you ever been employed by one of the oil corporations in the Gulf area of the United States?

A. I have been employed by oil companies as a seaman [1978] aboard their ships in the past a number of times, but never other than in the capacity of a worker working at my trade and carrying a union card.

Q. In the questions from now on, until I indicate something to the contrary, we will confine the period that we are covering in these questions to that period from July 1939 to date. A. Very well.

Mr. Del Guercio: I object to that. The question asked or to determine that.

Presiding Inspector: He makes that as a general condition in all his questions.

Mr. Gladstein: Yes; so the witness will under-

(Testimony of William C. McCuiston.)

stand it and I won't have to repeat it again and again.

Presiding Inspector: I think that is reasonable. We understand that we are now covering that period.

Mr. Del Guercio: If the witness can answer.

Presiding Inspector: If he can answer he can say so.

By Mr. Gladstein:

Q. With that understanding, Mr. McCuiston, I want to ask you if it isn't true that you have been employed in the period mentioned by an oil company, and that your duties were to go around and find any labor agitators and report them to the company?

A. That is not true. I have never received a penny from any oil company in my life for any activities other than [1979] I stated before, that is, that of working as a seaman; or from any other industrialist, or from any boss in any form whatsoever. I am a union man now and have always been a union man.

Q. Do you know a man by the name of William Woldman?

A. Woldman?

Q. Yes.

A. Yes, I know him. He is a Communist that runs the Crescent Jewelry Company in Houston, Texas.

Q. How long have you known him?

A. I have known him roughly since 1930.

Q. Is it true that he runs a watch repairing

(Testimony of William C. McCuiston.)

jewelry business at 605 Travis Street, Houston, Texas?

A. Yes. That is in the Milby Hotel; but in addition to that he also buys gold and runs an under-cover pawn shop and is a fence—buys stolen goods.

Q. Did you speak to him some time in April, 1941, at his place of business? A. Yes.

Q. Did you tell him on that occasion that you had been confined in jail for quite a number of months in New Orleans under a murder indictment?

A. I did.

Q. Did you tell him that you had, however, "beat the rap"? A. I did. [1980]

Q. Did you tell him that you had—

A. (Interposing) I didn't use those words, however. I am a little bit more careful in my English. I told him I was acquitted by a jury after being tried.

Q. Did you tell him that you had powerful friends in Washington who helped you?

A. I did not.

Q. Did you tell him that as of the time that you were speaking to him you were employed by an oil company?

A. I did not. I told him I was attempting to obtain employment by one of the oil companies.

Q. Did you tell him that you were making good wages?

A. I did not. In fact, I borrowed \$2.00 from him at that time.

(Testimony of William C. McCuiston.)

Q. Did you tell him that you were sick and tired of working? A. I did not.

Q. Did you tell him that you were going to enjoy life the easiest way you possibly could?

A. I told him that I was not going to mix in any trade union politics in any way whatsoever; that I was disgusted with the conduct of the trade union leaders today, who I thought a few years ago would be honest union leaders, and today turned out to be phony.

Q. Did you tell him that you were going to enjoy life the easiest way you possibly could? [1981]

A. No, sir.

Q. Did you tell him that it was your job to go around and find labor agitators and report them to the company? A. No.

Q. Did you tell him that for such work you were being well paid? A. No.

Q. Did you tell him that you had a drawing account and expense account? A. No.

Q. Did you tell him that you were authorized to stay at the Rice Hotel? A. No.

Q. Is there a Rice Hotel in that city?

A. Yes, but I was staying at the Milby Hotel. He was well aware of it because his business is in the Milby Hotel.

Q. Well, the Rice Hotel—

A. (Interposing) Is just across the street from the Milby Hotel.

Q. Is the Rice Hotel considered a fairly high priced hotel?

(Testimony of William C. McCuistion.)

A. Yes. The Milby is \$1.00 and \$1.50 a day and the Rice is \$3.00 a day and up. I couldn't stay at the Rice.

Q. I want to ask you again, did you tell him that you were authorized to stay at the Rice Hotel?

[1982]

A. No.

Q. Did you tell him that notwithstanding the authorization you stayed at a cheaper hotel so that you could pocket the difference?

A. No, I did not.

Q. Now, a few days after this occasion when you had the conversation with Mr. Woldman, did you again come to his place of business with a friend of yours called "Slim"?

A. Not that I recall of anybody called "Slim". I walked into his place of business with a friend of mine named Clyde Brown.

Q. Did you tell Mr. Woldman that you were going to Corpus Christi and then coming back to Houston?

A. I don't know whether I told him that. I told Brown that. I did go to Corpus Christi. That is my home town.

Q. And did you tell Mr. Woldman that you were going to spend the weekend of March 30th in Corpus Christi?

A. I don't recall whether I told him that. I had a general conversation with him.

Q. Did you spend that weekend in Corpus Christi?

(Testimony of William C. McCuiston.)

A. I can't recall. I stayed in Corpus Christi roughly about a week and a half or two weeks.

Q. Did you thereafter return to Houston?

A. Yes, and was subpoenaed to come here.

Q. Did you ever tell Mr. Woldman that you had attempted [1983] to set up another separate union from the National Maritime Union in the Gulf?

A. I told Mr. Woldman this, I think, to be exact: That it was my opinion that the seamen would never get anywhere until they threw the fakers out of the NMU and put honest men at the head of it and made a new union out of it.

Q. Did you tell Mr. Woldman at the time that you were attempting to set up another and separate union in the Gulf from that of the National Maritime Union? A. No.

Q. Did you ever tell Mr. Woldman that you were attempting to get the union in the Gulf to secede from the National Maritime Union?

A. No.

Q. Did you tell him that you were being aided in your work by Arthur Thomas?

A. Absolutely not.

(Q. Do you know Arthur Thomas?

A. I know him personally very well. He is a close personal friend of mine.

Q. Where is he now?

A. He is in Port Arthur. He is the owner and manager of the Exchange Bar and the Exchange Cafe.

Q. Is he or is he not under indictment for

(Testimony of William C. McCuistion.)

perjury in the District Court of the United States for Northern California? [1984]

A. He is not.

Q. Did you tell Mr. Woldman that you were also being aided in your work in the Gulf by Jerome King?

A. I did not.

Q. Do you know Jerome King?

A. Yes.

Q. Is he also a friend of yours?

A. Jerome King is a close personal friend of mine.

Q. Do you know where he is now?

A. Jerome King is in Waldman Prison doing two and a half years for killing a Communist.

Q. Is that what the charge was? Killing a Communist?

A. Yes.

Q. Is that the way the indictment read?

A. I didn't see the indictment. How do I know? I know the guy that he killed was a Communist.

Q. What you really mean is that he is now serving time for murder?

A. He is serving time for manslaughter. It was a fist fight and he was very badly beaten himself, "dumped" by a "goon squad". In the "dumping" one of the goons got killed.

Q. Mr. McCuistion, were you arrested in Houston, Texas on October 22, 1930?

A. Yes; something about that date. I was State Organizer [1985] at that time.

Q. What were you charged with?

A. I was charged with assault, I was charged

(Testimony of William C. McCuiston.)

with breaking and entering, I was charged with vagrancy, and they threw the whole book at me.

Q. You were also charged with burglary, were you not?

A. Yes. I said "breaking and entering", which is burglary. I was charged with that.

Q. And you were convicted of aggravated assault, were you not?

A. I was convicted of simple assault, as I remember correctly, and the Grand Jury billed us on the rest of the cases. There were several of us. In fact, practically the entire Communist leadership was arrested and charged with the same thing at that time.

Q. Are you now saying that your recollection is that you were convicted of simple assault?

A. Yes.

Q. But it is possible that you were convicted of aggravated assault?

A. Very possible. I was guilty of aggravated assault.

Q. Were you arrested in November of 1931 in Kansas City?

A. Yes sir. Also at that time I was a member of the Communist Party and was a leader of the unemployed at that time.

Q. Were you arrested in November of 1932 in Chattanooga, [1986] Tennessee?

A. Yes. That was at the time of the hunger march. I was taking the southern section of the

(Testimony of William C. McCuistion.)

hunger march to Washington. I was also a Communist then.

Q. Were you arrested in August of 1934 in Buffalo, New York?

A. Yes, I was also a Communist then; Maritime Organizer for the entire Great Lakes Region.

Q. Were you charged with assault?

A. I was charged with assault and vagrancy and a number of other things then. I don't remember all. Just nuisance charges. All these charges would be automatically thrown out in a few hours. The Party would have bondsmen up there almost as quickly as the patrol wagon and have me bailed out, a big defense fund raised and nothing would ever come of it.

Q. Were you arrested in December, 1934 in Baltimore?

A. Yes.

Q. Were you charged with assault?

A. Yes.

Q. Were you found guilty?

A. I was found guilty and I was guilty.

Q. Were you arrested in New Orleans in October, 1936?

A. Yes. [1987]

Q. Were you arrested—withdraw that. I lost myself at some point. Where were you arrested in connection with the murder charge about which Mr. Del Guercio asked you?

A. I was arrested in the first time in the committee hearing rooms of the Dies Committee in Washington, D. C., after I had been on the stand two complete days. I was arrested on the third day.

(Testimony of William C. McCuistion.)

Q. Was a warrant served on you?

A. There was no warrant served on me for the simple reason there was no warrant. I wasn't indicted until about four months after that.

Q. When you say that you were "arrested" what do you mean?

A. I mean I was taken into custody by Lieutenant Linegard, and I didn't care to raise any technical points on it. I knew I hadn't done anything to be arrested for and I was confident that I would subsequently be acquitted of anything that I was charged with. I have a little faith in justice in the courts anyway.

Q. Now, when did the trial of that murder case actually begin?

A. The trial began in January the 21st of this year.

Q. 1941?

A. Yes.

Q. Well, before that trial began you were arrested [1988] several other times, weren't you?

A. I was arrested in Washington. Extradition was refused. I was subsequently arrested in Indiana, at Claypool, Indiana, near Warsaw. I was advised by counsel there that it would be impossible to extradite me because of such a flimsy bill of particulars against me. But I stated that I was tired of having a murder charge hang over my head and I would waive extradition and go back and face it. I waived extradition and went back.

Q. Were you arrested in Washington, D. C., in May of 1940 for being drunk?

A. Yes.

(Testimony of William C. McCuistion.)

Q. Were you arrested three days later in Washington, D. C., on the same charge of being intoxicated? A. No.

Q. Did you serve ten days on such a charge?

A. Yes.

Q. While you were in jail that ten-day period did you attempt to commit suicide?

A. No. But it seems that the Daily Worker had an imagination about something that I did do it. I don't recall it.

Q. I have before me an item from the Washington Post, not the Daily Worker; the Washington Post of March 29, 1940. [1989] By the way, do you charge that the Washington Post is a Communist paper?

A. I make no charges whatsoever of any nature. I am here as a subpoenaed witness for the Government and I answer the questions put to me to the best of my ability. I don't know how to say anything else. I will answer your questions and be as courteous to you as I hope you will be to me.

Q. Now, Mr. McCuistion, in this article, to which I have just made reference, the statement is made "William C. McCuistion, Dies Committee witness who was recently indicted for murder of a New Orleans labor leader was jailed for 30 days yesterday by Police Judge Walter J. Casey". Is that a correct statement of what happened?

A. Absolutely not. I wasn't jailed for 30 days.

Presiding Inspector: Never mind! It isn't a correct statement.

(Testimony of William C. McCuiston.)

A. (Continuing): It isn't a correct statement.

By Mr. Gladstein: _____

Q. What is incorrect about it? The fact that it wasn't 30 days?

A. The fact that it wasn't thirty days. I wasn't jailed by the judge. There are a lot of inaccurate statements.

Presiding Inspector: What difference does it make what the Washington Post or the Daily Worker or anybody else says? [1990] We are only interested in the facts.

Mr. Gladstein: Yes, that is right.

Presiding Inspector: It doesn't add anything.

Mr. Gladstein: It goes to—

Presiding Inspector (Interposing): I will exclude the question of what the article says.

Mr. Gladstein: I want to use the article.

Presiding Inspector: Then show it to him.

Mr. Gladstein: I haven't finished, your Honor.

Presiding Inspector: I shan't hear anything quoted from the article. Go ahead.

Mr. Gladstein: Well, may I not use something for the basis of a question?

Presiding Inspector: You may show the article to him.

Mr. Gladstein: All right.

Presiding Inspector: Ask him if it refreshes his recollection.

Mr. Gladstein: Certainly. There are two articles here. One is from—

(Testimony of William C. McCuistion.)

Presiding Inspector (Interposing): The article is entirely immaterial here.

Mr. Gladstein: I realize that.

Presiding Inspector: Then don't ask about it.

Mr. Gladstein:—I may use—

Presiding Inspector (Interposing): Now, go ahead. Let us [1991] have no trouble about it. Show the article to the witness and ask him whatever you want to.

Mr. Gladstein: May I make a statement for the record as to what I am showing the witness, your Honor?

Presiding Inspector: Certainly you may.

Mr. Gladstein: That is what I was about to do.

Presiding Inspector: I thought you knew about that.

Mr. Gladstein: This document which I am about to show the witness contains two clippings: One from another newspaper, and I want to show that to the witness.

Presiding Inspector: Well, go ahead.

Mr. Gladstein: All right. Now, for the record, I am showing the witness a piece of paper on which there are two clippings: One from the Washington Post, March 29, 1940; and one from the Washington Times-Herald of May 26, 1940. Incidentally, I want to make a correction. The article from the Washington Post is not March 29, but May 29.

Mr. Del Guercio: May I see that, please? You are making a statement to the record here without showing it to me.

(Testimony of William C. McCuistion.)

Mr. Gladstein: Oh, all right.

Mr. Del Guercio: Now, if your Honor please, there is no masthead on any of these articles here.

Presiding Inspector: It doesn't make any difference. If they actually refresh the witness' recollection he can say so. [1992]

Mr. Del Guercio: May the record show, then, that there is nothing on here in the way of writing to show from where they came?

Presiding Inspector: Well, that will appear on the face of the document. If they actually refresh his recollection—

By Mr. Gladstein:

Q. (Interposing): Read the article, if you will.

A. (Reading articles): No truth whatsoever to the articles.

Presiding Inspector: The question is whether they refresh your recollection of what occurred?

The Witness: They refresh my recollection of the refusal of Chief Justice Sweet to extradite me, that's all.

Presiding Inspector: Now, go ahead.

By Mr. Gladstein:

Q. Don't they refresh your recollection as to whether you attempted to commit suicide?

A. I never attempted to commit suicide in my life. That is a felony, isn't it? They would charge me with it if I did.

Presiding Inspector: Now, wait!

(Testimony of William C. McCuiston.)

By Mr. Gladstein:

Q. In connection with that arrest, Mr. McCuiston, do you recall whether it is true that you were taken into custody on an intoxication charge after you had collapsed on the wall of St. Elizabeth's Hospital? [1993]

A. I know that I was feeling pretty bad about the whole business, wanting to get the mess cleared up. A man doesn't feel any too good when he has a murder charge hanging over him, even when he knows he is innocent. I know I went on a drunk and the drunk lasted about 30 days, and I sobered up in jail like a lot of other drunks have.

Q. Do you recall whether in jail you improvised a noose out of your shirt?

A. I said I did not; that none of that has the slightest basis of truth.

Mr. Del Guercio: If your Honor please, counsel here has asked the witness, as I recollect it, at least two times whether he has attempted to commit suicide.

Presiding Inspector: I know.

Mr. Del Guercio: And the witness has answered "No" both times definitely, yet counsel is pursuing—

Presiding Inspector (Interposing): He wants to press him because he knows he can't contradict him on this.

Mr. Del Guercio: Apparently.

Presiding Inspector: Go ahead.

Mr. Del Guercio: He is still here and alive.

(Testimony of William C. McCuistion.)

Presiding Inspector: Of course, he is bound by his answers on a collateral matter like this.

By Mr. Gladstein:

Q. Was this period that you spent in jail in Washington [1994] in May of 1940 in connection with the 30-day drunk that you have just mentioned prior to the time that you actually stood trial on the murder indictment? A. Yes.

Q. Who were you charged with having murdered?

A. I was charged with having murdered Philip Carey, a close friend of mine.

Q. Was he a labor man?

A. He was a labor man, yes.

Q. Did he belong to a union?

A. He belonged to the National Maritime Union, yes.

Q. What was his position?

Mr. Del Guercio: If your Honor please, I object to this line of questioning.

Presiding Inspector: What is the object of this?

Mr. Gladstein: Well,—

Mr. Del Guercio (Interposing): Are we going to try the murder trial here?

Mr. Gladstein: No, of course not.

Presiding Inspector: If you hadn't introduced it I don't know what would have happened. But, of course, you introduced this evidence about this murder trial.

Mr. Del Guercio: Only to the extent to show whether he had ever been arrested.

(Testimony of William C. McCuiston.)

Presiding Inspector: But you opened the door on it. [1995] You opened the door on it. Now, we will go into it to some extent.

Mr. Gladstein: I want to identify the man, that is all.

Presiding Inspector: Very well. You may do that.

Mr. Gladstein: Will you read the question, please.

(The question referred to was read by the reporter as above recorded.)

A. He was Secretary-Treasurer pro-tem of the Stewards' Division of the National Maritime Union of America, Gulf District.

By Mr. Gladstein:

Q. You mean Mr. Carey was?

A. Mr. Philip Carey, yes.

Q. Was he a member also of the National Council of that union?

A. Only by—I am not sure whether he was or not. I couldn't answer. They had just recently revised the constitution and put in a lot of new protective clauses and, I don't know. I haven't even read it myself now. I wasn't interested in what was going on in the union even.

Q. And when is it that you were charged with having murdered him? The date.

Mr. Del Guercio: If your Honor please, that is shown in the indictment. If they want to bring the indictment here—

(Testimony of William C. McCuiston.)

Presiding Inspector (Interposing): I will allow it. [1996] This is a question of when——

A. (Interposing): The murder——

Presiding Inspector (Interposing): Wait a minute! See if I understand it. You are not asking for the date of the charge, but the date when it is claimed that the charge was committed?

Mr. Gladstein: That's right.

Presiding Inspector: Yes.

A. (Continuing): It was supposed to have been committed on the night of September 17, 1939.

By Mr. Gladstein:

Q. Did I understand you to say earlier today that you had walked out of the convention of the National Maritime Union?

A. You understood correctly. I walked out of the convention and several others walked out with me.

Q. The answer to that question would be "Yes"?

A. Yes.

Q. Isn't it a fact that you have been expelled from that union? A. That is not a fact.

Q. Isn't it a fact that at the second National Convention of the National Maritime Union of America, held in New Orleans between July 3 and July 14, 1939, a resolution concerning you was introduced before the body? [1997]

A. It will take a little explanation if you wish it.

Q. Can't you first answer it "Yes" and then, if you want to, explain——

(Testimony of William C. McCuiston.)

A. (Interposing): No, I can't because I wasn't present after I walked out. What I want to say is that when I walked out of the convention of the National Maritime Union, by that act I automatically severed all connection with the union. Therefore, you can't expel a man after he has already quit. It is closing the door after the cow has gone.

Q. Were you a member in good standing after you walked out?

A. I was a member in good standing and a delegate to that convention. [1998]

Q. Under the Union rules do you remain a member in good standing for any period thereafter until you fail to pay dues, or to send in a resignation.

A. When you walk out of any organization you automatically resign from that organization. When you are in disagreement with their policies and principles and walk out you have severed all relations with that organization.

Q. Did you resign in writing?

A. Resign in writing? No, I resigned—there were reporters there reporting the convention.

Presiding Inspector: He asked you if you resigned in writing. You answered "No."

A. No.

Presiding Inspector: Ask the next question.

By Mr. Gladstein:

Q. Isn't it true, Mr. McCuiston, that at that convention a resolution was presented reading in part:

(Testimony of William C. McCuistion.)

"Whereas our passenger and freighter agreements expire on September 30; and

"Whereas there is no room in our ranks for disrupters, labor spies, and their ilk; and

"Whereas William McCuistion was run out of the Port of Baltimore and led goon squads in the Ports of Boston, Port Arthur, Houston, Galveston, Corpus Christie, and generally has conducted himself as an enemy of the NMU and its members for his personal [1999] aggrandizement;

"Be It Resolved that this convention expel William McCuistion from the Union for fourteen years."

Wasn't that resolution introduced at that convention?

Presiding Inspector: Do you mean that it was introduced at the time that he was present?

Mr. Gladstein: I am asking him whether, to his knowledge, that was introduced at that convention.

Presiding Inspector: I think you should divide it as to whether he has knowledge by having heard it introduced; that is, divide it between the period he was there and the period afterward.

Mr. Gladstein: I am perfectly willing to do that.

By Mr. Gladstein:

Q. First of all, was such a resolution introduced while you were still at the convention?

A. No.

Q. To your knowledge was it introduced at any time during the convention?

(Testimony of William C. McCuistion.)

A. To my knowledge, no.

Q. Have you ever heard such a resolution was introduced?

A. This is the first time I have ever heard the wording of such a resolution.

Q. Have you heard prior to today that such a resolution in substance was introduced at that convention? [2000]

A. I have heard that such a resolution was, in substance, introduced as the rank and file delegates had walked out and left the Communists in full possession.

Q. Had you heard that you were expelled for fourteen years from the National Maritime Union before you came to this hearing today?

A. No, because you can't expel a man when he is not in the organization.

Mr. Gladstein: Read the question, please.

Mr. Del Guercio: He has a right to qualify his answer, if your Honor please. He has qualified it.

Mr. Gladstein: He certainly has qualified it, but hasn't answered the question. I would like the question read.

Presiding Inspector: Read the question.

(The question referred to was read by the reporter as above recorded.)

Presiding Inspector: I will explain that to you. It doesn't mean whether legally it was effective or not. But what counsel is asking about is whether such a resolution was adopted.

(Testimony of William C. McCuistion.)

A. I understand such a resolution was adopted; yes. But that is from indirect information and hearsay largely.

By Mr. Gladstein:

Q. Were you assisted in connection with your murder case by any representative of the Dies Committee, or anyone connected with it? [2001]

A. None whatsoever; with the exception of Congressman Starnes, who went to see Attorney General Jackson to receive permission from him for a representative of the Department of Justice, and Immigration Division, to testify at my trial merely as a character witness. That was Congressman Starnes of Alabama.

Q. Were you furnished with counsel or assistance of any kind by Congressman Starnes, or anyone else, connected with the Dies Committee?

A. No. My counsel was volunteer counsel and they so stated at the trial.

Q. Who was the representative from the Department of Justice who was obtained by Congressman Starnes to be your character witness?

A. That was Mr. Delaney, a personal friend of mine, in New Orleans, and director of Naturalization in the New Orleans office of the Immigration Service.

Q. How long had he been a personal friend of yours?

A. Oh, roughly, for about a year. We first met in connection with the Thomas case.

Q. That would date back to when?

(Testimony of William C. McCuistion.)

A. I couldn't say exactly. When you meet a friend in clubs, and various places, and discuss matters with them, why you don't keep a record of just when you met them. I would say approximately a year ago. I couldn't date it to any particular time.

Q. Couldn't you give me the approximate month and year when you met Mr. Delaney?

A. You can take a piece of paper and a pencil and figure it out—approximately a year before I was tried—I was tried in January, 1941. No, I am wrong. I should have said approximately two years. I have known him since early 1939.

Q. Have you ever worked for him or with him?

A. ~~I have never worked for him or with him.~~

Q. What was the nature of your relationship with him?

A. I came to Mr. Delaney at the time of the first hearing of Harry Bridges. I discussed with him, before the first hearings, when they were scheduled to come up, I discussed these hearings with Mr. Delaney. I stated at that time that I didn't approve of the hearings because I believed it was not the proper way to approach the whole thing. I also said that I didn't favor the deportation of Harry Bridges, and I testified so later in the Dies Committee—if you wish to refresh your memory on that.

That was the nature of the conversation.

However, he asked me would I testify if subpoenaed as a witness.

(Testimony of William C. McCuistion.)

I said, "Yes, but I will be a reluctant witness."

Q. Now, how did you happen to go to Mr. Delaney? [2003]

A. I went to Mr. Delaney in an endeavor to help a friend of mine, who was also facing proceedings of this same nature. This friend of mine, Arthur Thomas, was an anti-Communist labor leader, had fought the Communists, and the Communists were spending quite a bit of money and a lot of effort to try to have him deported. I went to Mr. Delaney to find out what I could about the case, and find out if there was any way possibly I could help and to really acquaint the Government with the facts that this man was an active anti-Communist and being persecuted in the Union because of these beliefs.

Q. Would it be correct to say that your first contact with Mr. Delaney was a voluntary one on your part and that the purpose you had in mind when you sought him out was to learn from Mr. Delaney whatever you could to help your friend, Mr. Thomas?

A. Yes; and to help Mr. Delaney understand the whole situation, if possible.

Q. All right. On that occasion you also discussed Harry Bridges, is that right?

A. Yes; I discussed Harry Bridges.

Q. How did that happen to come up?

A. Well, Mr. Delaney is an official of the Immigration Department. He asked me questions and I answered them.

(Testimony of William C. McCuiston.)

Q. Who first mentioned the name of Bridges?
[2004]

A. I think it was Mr. Delaney that first mentioned it, asked whether I knew whether Harry Bridges was a Communist or not.

Q. When did you say this was?

A. In 1939.

Q. This was before the hearing?

A. Before the hearing; yes.

Q. How long did you discuss with Mr. Delaney whatever information you claimed you had concerning Bridges?

Presiding Inspector: You mean in this conversation?

Mr. Gladstein: Yes; in this conversation.

Presiding Inspector: In a single conversation?

Mr. Gladstein: Yes.

A. In a single conversation, about an hour and a half, or two hours at the outside.

By Mr. Gladstein:

Q. That you were talking about Mr. Bridges?

A. Yes.

Q. You were there longer, however, I take it, because part of the conversation concerned Mr. Thomas?

A. Yes; and also because we discovered that Mr. Delaney had been a friend of my family; had come from the same part of Texas I came from, and on that basis we developed a personal friendship through talking over old times.

(Testimony of William C. McCuistion.)

Q. How long would you say all together you spent [2005] continuously with Mr. Delaney during this first occasion when you spoke to him?

A. A maximum of two or two and one-half hours.

Q. Most of that time was taken up with the discussion of Bridges?

A. No. It was taken up—about an hour and a half was taken up on official business, discussing the Thomas case, discussing the Bridges case, discussing whether you were making martyrs of the Communists by deporting them—things like that. The rest of the time was taken up in the discussion of strictly personal matters.

Q. Did you tell Mr. Delaney on that occasion all you claimed to know concerning Mr. Bridges?

A. Yes. I told him certain facts and things I wouldn't even be willing to testify to because they are things that I don't know, things that I have heard from other people, regarding Mr. Bridges. After all, Mr. Bridges and I—well, I have nothing against him and he has nothing against me. It is all up to him.

Q. So you told him everything that you said here, plus other things which you would not care to testify to? A. Certainly, yes, sir.

Q. Was a written statement taken of what you said?

A. There were notes taken of what I said. I signed no statement that I remember. [2006]

Q. That you remember? A. Yes.

(Testimony of William C. McCuistion.)

Q. You mean it is possible you did, but you don't now recall?

A. I might have signed it, but I don't recall whether I did. I had no objection to signing a statement. If he had asked me to sign it I would have; if he didn't ask me to sign it I didn't sign it.

Q. Did he ever get in touch with you again concerning the statement you had made to him about Bridges?

A. I got in touch with him. He didn't have to get in touch with me. I looked him up several times.

Q. When was the next time?

A. I couldn't tell you exactly. It was over a period of a couple of months that I looked him up possibly as many as four times.

Q. What did you talk to him about on those occasions?

A. Largely I formed a friendship with Mr. Delaney, and I dropped in to talk to him because I enjoyed talking to him, because I felt that I could learn something from him; and because I felt he was a very able man, and from my home state, and at that time I was really, after just getting out of trade union work, I was trying to get a new slant, a new approach on things as a whole. He was very intelligent, a very capable man and I enjoyed his companionship. The visits were [2007] largely on that basis.

Q. Did you understand that I asked you, Mr.

(Testimony of William C. McCuiston.)

McCuiston, when the next time was after the very first occasion that you met Mr. Delaney, that you spoke to him concerning Bridges?

A. I said I couldn't remember the exact time. But I had several meetings in the course of the next two or three months.

Presiding Inspector: I think that answers the question. He can't remember.

By Mr. Gladstein:

Q. Well, would it be correct to say that probably on all of those occasions you discussed Bridges with him?

A. Probably Bridges' name came up in various ways during those discussions; I wouldn't say positively that it did.

Q. Now, in addition to talking to Mr. Delaney about Mr. Bridges, did you ever give him any other information concerning other people in the labor movement?

A. Never.

Mr. Del Guercio: Just a moment. I object to that.

Presiding Inspector: I will allow it. The answer was "No."

By Mr. Gladstein:

Q. What was the answer?

A. Never, with the exception of Thomas. [2008]

Q. Did you ever talk to him about Joe Curran?

A. Never, in any official capacity. The name of Joe Curran might have come up.

(Testimony of William C. McCuiston.)

Q. When you say "official capacity", do you mean that you were representing somebody?

A. He was an official. I had no reason to talk to him about people unless it was something official. I remember he did ask me a question one time. He stated that he wanted to know what it meant by calling Joe Curran "No coffee time Joe". What that meant. It was the only question that came up, as to what that meant.

Q. Did you supply him with information concerning any other labor leaders besides Mr. Bridges?

A. None.

Q. Did he ask any of you?

A. He didn't ask me any questions. In fact, he was——

Presiding Inspector: You haven't been asked anything further. Just answer the questions.

By Mr. Gladstein:

Q. Now, this morning you said, in answer to Mr. Del Guercio's question concerning the murder indictment against you—I may be misquoting you but if I am I know you will correct me. It is just my recollection of what was said and I haven't had a chance to check the actual record. It was my impression that you said that you were testifying in the Dies [2009] Committee and then you learned about this business of this charge of murder in New Orleans, and there wasn't any warrant of arrest at the time, but that the Communists did something funny and a warrant was later is-

(Testimony of William C. McCuistion.)

sued. Would that be a correct summarization of what you said?

A. I wouldn't call it funny; no, sir.

Q. I am trying to get what you said, because I want to make it preliminary to another question.

Presiding Inspector: He said it isn't accurate.

By Mr. Gladstein:

Q. Will you explain exactly what you meant to say?

A. I meant that it was at the instigation of certain Communists that I was arrested; that had I not testified before the Dies Committee it is my opinion that I would not have been arrested, or ever indicted for the murder of Philip Carey.

Q. Were there any charges against you before you testified before the Dies Committee?

A. To the best of my information there were none whatsoever. I had heard, through a friend of mine on the waterfront in New York, he said, "The Communists are talking about you being wanted for murder."

I said, "Well, if that is so it is pretty serious business. So I am going to find out about it."

I walked up with this friend—I can give his name now—a seaman by the name of Vest, and another one by the name of [2010] Fawkes—I walked up to the Department of Justice Office, and the Federal Bureau of Investigation, in New York, and asked if they had, to please ascertain if there were any charges of murder against me.

I also went to the Old Slip Police Station, City

(Testimony of William C. McCuiston.)

Police of New York, and asked if I was wanted for anything. They said "No."

I never would have testified before the Dies Committee if I thought there were any charges against me. I would have wanted to have gone ahead and vindicated myself.

Q. Do you know whether or not the New Orleans police were looking for you in September of 1937?

A. If they were they were looking for me in a funny way because I was moving around openly all over the country.

Q. Weren't they looking for you at the time you were testifying before the Dies Committee?

A. If they were they were very slow then because I testified two days before I was apprised of the *fact* that anybody wanted me for anything.

Q. Do you remember the man, the officer, police officer, who came from New Orleans in connection with taking you into custody, do you remember his name?

A. Yes; Johnny Grosch—G-r-o-s-c-h—Chief Detective in New Orleans.

Q. Isn't it true that Officer Grosch was looking for you [2011] since September 26th?

A. Not to my knowledge it wasn't true. If he was he was keeping it a secret.

Q. You mean he never told you, nor did you ever hear that he had been looking for you since September 26th?

A. No — except that one time in New York.

(Testimony of William C. McCuistion.)

There was a letter introduced at my trial to the effect that nobody was looking for me until after I testified, and this letter was introduced in evidence. Grosch himself admitted it on the stand.

Q. When did you testify before the Dies Committee?

A. The first part of November, 1939; possibly the last part of October, the last few days. I don't recall the exact dates.

Q. Well, let me see if I have it straight. You said a couple of times that the Communists and you had a public, open, falling out at the time that you testified before the Dies Committee.

A. No, sir. I never said that. I said I had a falling out with the Communist Party and not with any individual Communist. I still have many friends, personal friends, members of the Communist Party.

Q. All right. I will reframe that. Is it correct that you and the Communist Party had your public falling out as a result of your testifying before the Dies Committee? [2012]

A. No. We had our falling-out as a result of my opinion of the Communist Party, after I saw them in action in Spain.

Q. Well, when did you—withdraw that. You said a little while ago that the Communist Party took certain action against you because you testified before the Dies Committee.

A. I mean that the Communist Party pushed further the case against me. This is merely an

(Testimony of William C. McCuistion.)

opinion of mine. I couldn't prove it, and I am not trying to prove it. It is my opinion that the charge of murder against me was instigated by the Communist Party; that it was pushed, that they paid the witnesses to perjure themselves in my trial; and that the Jury evidently thought the same thing because they acquitted me.

Q. Did you take the stand in your own defense?

A. I did not. The State failed to establish a case. It wasn't necessary. My counsel so advised me and I took the advice of my counsel.

Q. Who was the name of your counsel?

A. Albert Koorie, Jack Culligan, and Mathew Braniff.

Q. Do they all have offices in the same city?

A. Yes, in different buildings.

Q. That city is what? A. New Orleans.

Q. One of those gentlemen you named earlier this afternoon as having done some research work for? [2013]

A. Yes, sir. He was a personal friend of mine and volunteered his services without charge.

Q. Did you perform the research that you have talked about for him before or after he defended you?

A. I performed this research work in connection with the Thomas case before he defended me.

Q. He handled that case?

A. He handled Mr. Thomas' case in part.

Q. Now, Mr. McCuistion, when did you first join the Communist Party?

(Testimony of William C. McCuistion.)

Presiding Inspector: Just a minute. We will take a short recess. That is a new subject.

(Whereupon a short recess was taken.)

[2014]

Presiding Inspector: You may proceed, Mr. Gladstein.

By Mr. Gladstein:

Q. I want to go back for a moment, Mr. McCuistion, to the NMU Convention that you walked out of. Were you seated as a delegate in that convention?

A. I was not. I presented my credentials to the Credentials Committee and was seated as a delegate temporarily, and I walked out before the Credentials Committee reported. However, I had been a candidate for Chairman and for Secretary for the convention.

Q. Isn't it true that the Credentials Committee reported that you had been illegally elected as a delegate to the convention?

A. That is not true, to my knowledge.

Q. Now, you say you walked out of the convention?

A. Yes.

Q. On which day?

A. I couldn't recall the exact date. If you will let me have the proceedings of the convention there, I will refresh my memory on it and tell you.

Q. Well, can't you tell me approximately how long after it began?

A. I cannot, no. I should say the second or third day, or second or third session.

(Testimony of William C. McCuistion.)

Q. Why did you walk out of the convention?

[2015]

A. I made a statement that it looked to me like the convention was dominated and controlled by the Communist Party and, as a sincere trade unionist, I couldn't honestly stay as a delegate to such a convention. Therefore, I was walking out.

Q. Now, I started to ask you when you first joined the Communist Party.

A. What was that question?

Q. When did you first join the Communist Party?

A. Either in 1921 or 1922. I can't be exact. It wasn't called the "Communist Party" then altogether. It was called the "Workers Party" the "Workers Communist Party".

Q. How long did you remain a Communist?

A. As I say, I couldn't exactly answer. I was perhaps a member of the Communist Party for a year or possibly two years at that time. I was never very active in it and subsequently dropped out, resigned and never became active until 1929 here in San Francisco.

Q. Well now, let me see if I have this chronology straight. You say you joined either in 1921 or '22 and that you were a member for approximately a year or two. That is your best recollection?

A. Oh, more than that. I should say approximately three years.

Q. For approximately three years? [2016]

(Testimony of William C. McCuistion.)

A. Yes, during which time I wasn't very much of a member. Most of the meetings of the Party I would go to, why, at that time there were more foreign languages spoken than English and I couldn't understand anything except a little border Spanish. So it wasn't very interesting to me. So I just dropped out.

Q. I want to summarize and get this clear. Would it be correct, then, on the basis of your recollection that you first joined in 1921 or 1922 and remained a member until approximately 1924 or 1925?

A. That is approximately correct, yes.

Q. And what happened then?

A. Well, I say, I had never been very active. Just for lack of interest in what they were doing. I let the thing slide.

Q. You mean that you resigned or quit?

A. No, I just ceased to be a member. I didn't take the trouble of quitting. They might have dropped me later on after I left. I don't know. I just didn't bother to look up meetings or attend meetings or worry about what they were doing or anything else.

Q. You mean that you didn't formally resign?

A. No.

Q. And you were not expelled or anything of that sort?

A. Not to my knowledge; no sir.

[2017]

Q. When did you next join the Communist Party?

(Testimony of William C. McCuistion.)

A. I next joined the Communist Party—I really became active in 1929.

Q. All right. That is the second time you joined the Communist Party, in 1929. Where did you join then?

A. In San Francisco, California.

Q. You had also joined the first time in San Francisco? A. Yes.

Q. All right. And for how long did you remain a member of the Communist Party the second time?

A. The second time I remained a member for about a year and a half, I should judge.

Q. Could you date the approximate time when you ceased to be a member the second time?

A. Yes. I was expelled in 1930 by charges brought by this same Communist named Woldman that you mentioned a while ago.

Q. When were you expelled?

A. In December, 1930.

Q. What were the charges?

A. The charges were at that time that I refused to lay out time in jail and, instead, took the money out of the Party and paid my fine with it; \$57 and something, I think, for the assault case. Or, rather, I just forfeited that much bail and let them take their fine out of the bail. This was a charge, [2018] and since Woldman had to put up the money he was a little sore at it and brought charges against me, and I was sore. So I decided

(Testimony of William C. McCuistion.)

to go to sea again and work as an active seaman; which I did. And the Party expelled me.

Q. Any other charges?

A. None that I can recall, no. I wasn't given a trial even. It was just an absentee business. I came to the West Coast and I shipped as an oiler on the Hawaiian Standard and I was absent from the country three months working in the Islands.

Q. When did you next join the Communist Party?

A. Well, I was re-admitted that same year, 1931. I was re-admitted to the Party.

Q. When in 1931?

A. The summer of 1931.

Q. Where? A. Kansas City, Missouri.

Q. And how long did you remain a member of the Communist Party thereafter?

A. Until 1935, when I couldn't stand them any longer.

Q. When in 1935?

A. Approximately January.

Q. What did you do in January, 1935 when you "couldn't stand them any longer?"

A. I didn't like the trade union policy of liquidating the Marine Workers Industrial Union. At the plenum of the [2019] Central Committee of the Party I so declared, and when Roy Hudson tried to restrain me I had a fist fight with Roy Hudson and I had a fist fight that night at a dance with another Communist named Harvey in an argument over policy. As a result they served me

(Testimony of William C. McCuistion.)

notice that I was being brought up on charges of being an irresponsible character, and so forth and so on. I didn't dignify the charges by answering them. I merely went back and started working at my trade again as a seaman.

Q. And you have never been a member of the Communist Party since that time?

A. Never have; no sir. Although I have worked with the leadership of the party since that time, but refused to join again.

Q. Now, you say you fought with Hudson.

A. Yes, I fought with him. I didn't fight much with him because there wasn't any fight. He wouldn't fight back.

Q. What did you do in the way of fighting?

A. I hit him.

Q. You say you had another fight with somebody else?

A. Yes; with the district organizer of the Communist Party at Denver, Harold Harvey, who was formerly Organizational Secretary of the Communist Party of San Francisco.

Q. Was that about the same time?

A. It was the same night. He fought back.

[2020]

Q. Did you express yourself?

A. Yes. It was an argument; merely an argument over policy. I didn't favor liquidating a union that a lot of men had fought to build and I didn't favor five or ten men going out and saying to these men, Well, the union that you built up, that

(Testimony of William C. McCuistion.)

you paid your dues into, that you had gone to jail for and fought in the picket line for is liquidated. Now, boys, get out and go into another union". I didn't believe in that stuff and I don't yet.

Q. And you expressed yourself pretty vigorously, I take it? A. Yes, I did; very vigorously.

Q. Were you expelled that time or did you quit?

A. The first time I knew I was expelled was when Harry told me about it. I had an idea I was expelled, but I didn't actually know it.

Q. Until he told you about it? A. Yes.

Q. Where was this?

A. I mean officially. In San Francisco.

Q. In San Francisco?

A. In San Francisco.

Q. That was the incident you referred to this morning? A. Yes.

Q. Do you remember from what that clipping was? [2021]

A. From the Daily Worker, yes. I couldn't be absolutely sure whether Reed or him had the clipping. But I know that one of them had it and both of them knew about it.

Q. Do you want to qualify your previous testimony on that to that extent?

A. To that extent: That one of them had the clipping, but that Bridges was the one that discussed it.

Q. Who raised the subject?

A. The subject was raised by Bridges.

Q. In what manner did he raise it?

(Testimony of William C. McCuistion.)

A. In the manner that he thought that I should activize myself. He said that he felt that I had just been mistaken, "blew my top" is the expression that he used, and he felt that I could be useful on the waterfront in San Francisco and that maybe I could set myself straight.

Q. Could you give us the approximate date of that?

A. No, I couldn't. It was within 40 days, I should say, prior to the sailing of the President Garfield. It should have been in May sometime.

Q. Let's see now.

A. I attached no particular significance to the meeting at that time. Therefore, I can't recall exactly. I was in 'Frisco over a period of two or three months and the meeting—until just today—has no special significance. Even today it doesn't seem to be an important meeting or anything like [2022] that.

Q. Now, Mr. McCuistion, you were in New York in January, is that right?

A. In January, yes.

Q. January of 1935? A. Yes.

Q. When did you leave New York?

A. I couldn't tell you exactly. I came to the West Coast by a freight train and schedules weren't very good.

Q. You didn't ship out of New York?

A. No.

Q. Were you on any ship between January 1935 and the time that you left San Francisco?

(Testimony of William C. McCuistion.)

A. No, I was on no ship. I went aboard a couple of ships in various ports, in New Orleans and Houston, enroute. I went aboard to eat a meal, but I didn't ship aboard any of them.

Q. There would be no record of your having been aboard?

A. No, not unless there was somebody who was a member of the crew who could remember seeing me aboard.

Q. Now, let's see. On this ship that you left San Francisco, what did you say the name of it was?

A. The President Garfield, Dollar Steamship Company.

Q. You able to tell me, are you not, how long it took for that ship to travel from San Francisco to Colombo? [2023]

A. Approximately a month and a half; about half way around the world. We made stops at Honolulu; Kobe, Japan; Shanghai, Manilla and Singapore, and Colombo was the next stop.

Q. And how long did you say it took for Mr. Bridges to arrange getting you on the ship?

A. I don't know how long it took exactly. I know that when I got ready to ship I went up and I was shipped right away, without a union book or without anything.

Q. I think you said this morning that in this conversation with Mr. Bridges after the discussion you indicated that you wanted to ship out and Bridges said he could fix it, and he did. Would that be correct?

A. Yes.

(Testimony of William C. McCuiston.)

Q. And,—

A. (Interposing) . Evidently it was fixed right then. Evidently it was already fixed, because the first time I went up in the hall—the first time I walked into the hall I went up to the dispatcher, Frederick Reed and myself walked to the dispatcher and we were both shipped on the same ship.

Q. And can you recall—this is your best judgment, I realize—how long it took after Mr. Bridges said he would arrange this for you for the actual arrangement to be made so that you could sail out?

A. I don't know how the arrangements were made, whether it took— [2024]

Presiding Inspector: He is just asking for time.

The Witness: Well,—

Presiding Inspector: This happened at one moment and then you were shipped at a later moment. Now, how long a time was there between?

The Witness: Oh, approximately 30 to 40 days; somewhere around in that. It was four to six weeks, I would say roughly. I wouldn't gauge it exactly. That was because I didn't want to ship. I never went up to the hall. I was meeting a lot of friends.

Presiding Inspector: Doesn't need any explanation.

By Mr. Gladstein:

Q. Well, would this be correct, then? After your conversation with Mr. Bridges, in which he discussed this clipping concerning your expulsion from the Communist Party, a period of approxi-

(Testimony of William C. McCuistion.)

mately four to six weeks elapsed before he got you to ship out; that is, before he got you the chance?

A. I don't know whether he got me the chance right then or whether he didn't arrange it until the day I went up there. But it appeared to me that it had been pre-arranged for some time. But I walked up and the guy didn't pick up the telephone or anything. He didn't even know me. "Oh", he said, "You're McCuistion?" I said "Yes". He said "All right".

Q. But it was four to six weeks from the time Bridges talked to you? [2025]

A. To the best of my memory.

Q. Until the time you shipped out?

A. Yes.

Q. Now, you mentioned this morning that the time you talked to Bridges was after he came out of the hospital.

A. Oh, no. You are wrong, Mr. Counsellor. I said I shipped on this ship shortly after he went to the hospital to be operated on.

Q. Is that what you said?

A. That was exactly my words.

Q. How did you know that?

A. The papers had headlines about Bridges dying. Bridges not expected to live. After all, Bridges is a pretty important character in San Francisco.

Q. Let me get some relationship here, if you will, Mr. McCuistion. How long was it after you learned about Bridges being in the hospital that you shipped out?

(Testimony of William C. McCuiston.)

A. I should say very shortly after that. And that is what gives me an impression that it had been arranged long before he even went to the hospital, because there is no question or no checking or no verification needed. I just come up to the dispatcher and shipped.

Q. Now let us go to this discussion that you had with Mr. Bridges the very first time you met him in 1935. [2026] A. Yes.

Q. Can you state some of the outstanding things that were discussed?

A. No. I can only state the general tenor of the conversation because, as I say, I didn't attach at that time any particular importance to it. I can state the general tenor of the conversation and that is all.

Q. Give us the things that stand out in your mind as having been discussed.

A. The fact that I was expelled from the Communist Party; the fact that such expulsion was only for a period of a year, providing that I conduct myself in such a manner as to warrant my re-admission; the fact that there was necessary work to be carried on; the fact that there was some kind of grudge between Harry Bridges and Lundeberg, and that they figured that Lundeberg ought to be eliminated and that they figured on using the expulsion of Scharrenberg, who was friendly with neither Lundeberg nor Bridges, as a stepping stone to this. Various discussions like this. I will tell you: Discussions like that took place daily between

(Testimony of William C. McCuistion.)

me and other members of the Party, and it would be hard to narrow it down to just what we did discuss specifically. But that was the line and Bridges discussed these things with me as a member [2027] of the Communist Party talking to an-ex-member of the Communist Party.

Q. Did Bridges urge you to do anything?

A. Yes. Bridges urged me to straighten up, to get myself right again.

Q. Did he urge you to do anything specific in connection with any of the topics you have mentioned? Did he ask for your help, for example?

A. Yes. He felt that I should activize myself. I couldn't be specific and say just specifically what he asked me to do. I told him—the reason I can't be specific on that is that I was determined that I was going to ship out as soon as I had had my little fling of visiting old friends out here on the Coast, and so forth and so on. I was going to ship.

Q. Did he try to dissuade you from shipping out?

A. He tried a little bit to dissuade me, but not very hard.

Q. Did he give any reasons for his dissuasion?

A. No. He did try to persuade me that I ought to join the Union; and I stated that I wouldn't join the American Federation of Labor then; that I opposed them just as much as I opposed the Marine Workers Industrial Union. It was a matter of principle with me at that time.

Q. I want you to try to remember, if you will;

(Testimony of William C. McCuistion.)

in this [2028] conversation just what was said about any individuals. You have mentioned a couple of names already. I wonder if you can remember any other names that were mentioned.

A. Well, I don't know. If Harry will refresh me with the names that he wants me to recollect, I will try to recollect it. He knows about as much of the conversation as I do. That's all. I have said all I remember about it.

Q. Well, you have already mentioned the names of Lundeborg and Scharrenberg. Were there any other names that stand out in your mind that were discussed?

A. No, I can't recall just off-hand.

Q. What was said in connection with Scharrenberg?

A. That Scharrenberg—I remember the discussion came out roughly that nobody liked Scharrenberg, that he would be a good guy to test out the power of the rank-and-file and the organization; he would be a good guy to make a test case out of. In other words, that Scharrenberg should be expelled, which would meet with the approval of both the Lundeborg forces and the Party forces, which were opposing Lundeborg. They could probably get together on that basis, and then later on this same energy could be diverted into the expulsion of Lundeborg, if they could raise sufficient strength. In other words, it was a sort of a boring-from-within tactics that was discussed as a whole. I can't be specific on it, though.

(Testimony of William C. McCuistion.)

Q. Where did that conversation take place?

[2029]

A. This conversation started with me sitting on the rail. There was a vacant lot at the foot of Clay Street there. I was sitting on the rail and Harry was standing up when it started. We went around to some restaurant. I forget what restaurant down there. Anyway we went in and had a little feed and discussed it more there; discussed it later on that night at Party headquarters.

Q. And that was the first time you ever met Bridges?

A. That was the first time I ever met Bridges, though I knew Bridges by having had him described to me. I have forgotten whether I had seen any pictures of him or not. I probably had seen a number of pictures of him and no doubt Bridges had seen my picture a few times. We were both big shots in our own way then.

Q. That same night you say you saw him again?

A. Yes, sir.

Q. Where was that?

A. I think it was the headquarters of the Communist Party on Grove Street. It might have been just one of the branch headquarters or Western Worker headquarters or something like that. But it was definitely a Communist headquarters.

Q. Whom did you go with?

A. Frederick A. Reed.

Q. What time, do you remember? [2030]

A. I can't recall the time. It was early.

(Testimony of William C. McCuistion.)

Q. How long were you there?

A. A maximum of 15, 20 minutes. I didn't feel very welcome there, to tell you the truth.

Q. Why do you say that?

A. Because I was an expelled member of the Communist Party and I wasn't agreeable to do any work for them. I was going out on my own, and, after all, an unwanted guest can feel it in many ways.

Q. What was discussed there?

A. Generally along the same line. That was the place where he definitely told me he could fix the shipping.

Q. Was Bridges there when you arrived?

A. Bridges was there when I arrived.

Q. Did you leave with Bridges?

A. I did not leave with Bridges.

Q. Did Bridges leave before you did?

A. I left before Bridges.

Q. Alone?

A. I left with Frederick Reed.

Q. Where did you go?

A. That would be hard to answer. I was more or less "on the bum" then and I went down to the waterfront, I know, to try to meet some friends that I could borrow a dollar or so from and, maybe, talk old times with. I wandered around. [2031] I might have been on the Embarcadero. I might have been on Howard Street, I might have been on Market Street. I know I walked down

(Testimony of William C. McCuistion.)

Q. For how long had you been in San Francisco on that occasion before you shipped out?

A. Well, that occasion was sometime before I shipped out. I hadn't been in San Francisco but two or three days, I should judge, before I met Bridges; two or three days at the outside.

Q. Where was the place that you came from before you hit San Francisco at that time?

A. New York, overland, by way of Florida and New Orleans and the Southern Pacific route.

Q. Do you remember how long it took you to arrive at San Francisco after you left New York?

A. I do not remember, no. I wasn't hurrying especially. I wasn't going slow especially.

Q. Do you have any recollection at all?

A. I have not, no.

Q. Can't you say whether it was one week or one month or three months?

A. I could not say; no, sir, because, as I say, I stopped various periods of time, and that's after all, six years ago and I was taking it easy. I was relaxing after having the strain of a lot of union activities for sometime previously. I was [2032] taking it easy. I had a pretty good little road stake. I didn't have to worry. If I saw a place I liked, I stayed there a few days and then moved on.

Q. Now, at the time that you were here in San Francisco you would say that was a period all told of approximately four or five or six weeks?

A. Yes, something like that, yes.

(Testimony of William C. McCuistion.)

Q. At that time who was Mr. Scharrenberg?

A. Paul Scharrenberg was the legislative representative of the Sailor's Union of the Pacific. I think that was his official title. I don't know. I know that Mr. Scharrenberg, he was a type of fellow that we called in those days a "labor faker".

Q. He held a high office, is that right?

A. Yes.

Q. In the union? A. Yes.

Q. Did he hold any other office besides the one that you have mentioned that you know of?

A. I don't know. I know that there was a lot of question, that he probably had made one or two trips in his life. He was a lawyer, and that now he is working in the legislative office in Washington. He was a very elderly man; nothing especially bad about him, nothing especially good about him.

[2033]

Q. I am talking about the time you were in San Francisco and what you knew his position to be.

A. I knew that he was opposed to everything that we consider progressive. We regarded—

Q. (Interposing) You misunderstood me, Mr. McCuistion, I didn't mean his views. The positions that he held in the labor movement.

A. Oh, I don't know. He held some position with the State Federation of Labor, I know. He held various positions. He was, in fact, a leading citizen along with his labor position.

Q. Was he the head of the Sailors Union at that time? A. No, sir.

(Testimony of William C. McCuistion.)

Mr. Del Guercio: If the witness knows.

Presiding Inspector: He says "No".

A. (Continuing) I don't know just exactly the different positions he held.

By Mr. Gladstein:

Q. Well, don't you know whether during that period when you were in San Francisco Mr. Scharrenberg was the head of the Seamen's Union here?

A. I know that Mr. Scharrenberg was not the head of the Seamen's Union here.

Q. Who was? A. Of the Sailors Union.

Q. Well, who was? [2034]

A. Well, I understood, to the best of my knowledge, that regardless of who held the technical position that Lundeborg was the head, that he was the only man that the membership respected, and therefore, he was actually the head, regardless of the title.

Q. Do you know what positions Mr. Lundeborg held at that time?

A. No, I couldn't tell you the exact position. In fact, I was just remotely acquainted with Mr. Lundeborg. In fact, the shipping—I shipped without his knowledge. I was very careful that he didn't find it out because I knew that Mr. Bridges knew that I had been a Communist and would probably queer any attempt of me being able to ship through his union.

Q. You mean that Mr. Lundeborg was in a position where he could have prevented you from shipping without a union card, had he known it?

(Testimony of William C. McCuistion.)

A. Oh, yes; very easily. In fact, almost any member of the union could have done it merely by virtue of challenging me.

Q. Could that be because the Union had an agreement with the shipowners whereby Mr. Lundeborg could keep you from getting a job?

A. No. Because the membership of the Union had confidence in Mr. Lundeborg. [2035]

Q. I don't understand, Mr. McCuistion. How could anybody have stopped you from shipping out if you had wanted to at that time?

A. The Sailors Union of the Pacific controlled the shipping. I don't think they had a contract at that time, but they controlled the shipping. In other words, if a shipping company was to ship a non-union man or a man without a union card, it was within the province of the union to call their members off of a ship and thereby precipitate another strike. This was done on a number of occasions. It has been done on a number of occasions since. It is regular union procedure.

Presiding Inspector: Well, your idea is that you don't know whether they had a contract or not? You think not?

The Witness: I think not.

Presiding Inspector: But that generally there was a friendly arrangement and the action was as though they had a contract?

The Witness: Yes. I think that they were working—this was a post-strike period and they were working out agreements. They might have had a

(Testimony of William C. McCuistion.)

signed agreement. I had been out of touch with union affairs during this brief period of time.

Presiding Inspector: I think that is pretty clear.

By Mr Gladstein:

Q. You said this morning that you shipped out through the union dispatcher. [2036]

A. I was shipped through the union dispatcher. The company probably has my original shipping ticket down there. I was given a regular ticket as though I was a member; sent down to the Dollar Steamship Company; presented my ticket to the mate; went back, and somebody had already O.K.'d me with the ship's delegate, so he didn't ask me any questions and the ship sailed.

Q. Well, would it be correct, then, to say that the job which you took when you shipped out was one that had been arranged or O.K.'d by—

A. (Interposing) Yes. It was what they call "back-door" shipping, is the label of it.

Q. Through the union, which was in a position to do either of two alternatives: Either keep you off the ship or put you on?

A. Not through a union. Through the individual, the dispatcher. I understood that I—what was his name? Mills. I think Mills was his name, the dispatcher that O.K.'d me through.

Q. Where was he located?

A. He was located in the Sailors Union of the Pacific Hall at 59 Clay Street. And if it wasn't through him it was through some friend of Harry's that Harry was able to get me on. [2037]

(Testimony of William C. McCuistion.)

Q. When is the last time you have been in the Sailors' Hall?

A. The last time I was in the Sailors' Hall, Sailors Union of the Pacific, was when I shipped, when I left that day, and I have never been in the hall since.

Q. Have you ever had any correspondence with the Sailors Union since?

A. I have had personal correspondence with different members of the Union, but none recently.

Q. To the Union?

A. To the Union hall. A lot of them get their mail there.

Q. Now, so you went and saw Mr. Mills, and you say he was in the Union headquarters?

A. I am not sure it was Mr. Mills.

Q. Who was it?

A. It was the dispatcher. If the dispatcher was Mr. Mills, it was Mr. Mills; if it was Mr. Jones it was Mr. Jones.

Q. You saw the Union dispatcher?

A. Yes.

Q. Were you alone when you saw him?

A. No. I was with Frederick Reed. We shipped together on the same ship, at the same time, as the article shows.

Presiding Inspector: Haven't you covered that?

Mr. Gladstein: Not yet. [2038]

Presiding Inspector: He said that in answer to one of your questions, or volunteered it to one of your questions.

(Testimony of William C. McCuistion.)

Mr. Gladstein: I haven't asked about this.

Presiding Inspector: I beg your pardon. You may not have asked about it, but he answered it.

Mr. Gladstein: I cannot help that. If I ask a question and I get a different answer I cannot help that.

Presiding Inspector: We will never get through if we keep getting the same answers.

By Mr. Gladstein:

Q. What time of day was it when you went to the Sailors' Hall?

A. What time of day was it? Well, I have shipped on some hundred or so different ships in my lifetime, and to remember the time every day when I got on or off would be physically impossible.

Q. Did you have any trouble getting into the Union hall?

A. They had a guard at the door when I came in. Fred Reed went in ahead, and flashed his book and said, "Mac is a friend of mine. We are going to the dispatcher." He let us in the door and we walked to the dispatchers' hall. There was no question about it.

Q. Do you remember who the officials of that Union were at that time? [2039]

A. I do not. I answered that a while ago also; except that Lundeberg was one, and Scharrenberg was another, and a fellow by the name of Silvers was another one. I do not recall exactly—I never

(Testimony of William C. McCuiston.)

attended a meeting of the Sailors Union of the Pacific in my life.

Q. Would you remember what offices those men held that you have just named? A. No.

Presiding Inspector: Haven't you asked that before?

Mr. Del Guercio: Not only asked it, but it was answered.

Presiding Inspector: He injected the name of Silvers. That is a new name. But you asked about the other two, I think, more than once.

By Mr. Gladstein:

Q. When did you start to openly oppose the Communist Party?

A. Well, while I was still in Spain; about one month prior to leaving Spain it became known that I was opposing them, and it became openly known, and I was put in a concentration camp. When I left Spain I left from a concentration camp.

Q. And have you been openly opposing the Communist Party since that time?

A. Ever since. When I appeared before the Consul General in Paris, France, the Communist Party offered to pay my transportation back to the United States, and I refused to [2040] accept it because I wanted to be under no obligation to them whatsoever.

Q. Now, you mentioned the 1936 strike on the east coast. Do you recall when that strike began?

A. Which strike? There were two 1936 strikes.

(Testimony of William C. McCuistion.)

the spring strike and the strike that took in the fall and winter, and ran up until '37.

Q. When you were discussing the strike this morning which one did you have reference to?

A. We were discussing the fall strike then.

Q. And was it in connection with that strike that you listed certain men who were on the strike committee?

A. Yes; I was on the strike committee myself.

Q. Well, you listed yourself and certain others, is that right?

A. Yes, sir.

Q. Now, you said that that strike was Communist dominated—

Presiding Inspector: What was the word?

Mr. Gladstein: Communist dominated, I think you said?

A. I said that; yes, sir. I said the Strike Committee was Communist dominated, that the strike was Communist instigated. However, I think it was a good strike.

Q. Regardless of that, when you say the Strike Committee was Communist dominated, what did you mean by that? [2041]

A. I mean that the most active elements within the Strike Committee controlled the entire policy of the Strike Committee, and that these most active elements were members of the Communist Party.

Q. Well, how could the Communists control the Strike Committee unless they were in the majority?

A. The same that ten ward leaders can control the vote of an entire city.

(Testimony of William C. McCuiston.)

Q. Did the Communists control the Strike Committee?

A. The Communists did control the Strike Committee; yes.

Q. Were they in a majority on the committee?

A. No, but they always had a majority present at the meetings. The non-Communists would ditch meetings occasionally, but the Communists were always present and voted in one solid bloc.

Q. Are you talking about the Strike Committee?

A. Yes.

Q. How many people were on that Strike Committee?

A. It varied from time to time. They had as high as 50 members at times and it got down to as low as 15 or 16 members. I couldn't recall exactly.

Q. All right. At any time did the Communists have an actual majority control of that Committee?

A. They never numerically; no.

Q. Did they have what approached majority control? [2042]

A. Yes, it approached majority control. They had majority control because by voting as a bloc, and by five or six of them getting up and consistently hammering home one point, they could win over the influence of others who were more or less luke-warm, or who didn't care. That is an old organizational tactic that we have all used at some time in our lives.

Q. In general, what percentage, would you say, of the members of the Strike Committee were regular members of the Communist Party?

(Testimony of William C. McCuistion.)

A. I should say approximately 20 or 25 per cent.

Q. Was it ever higher than that?

A. I would have to have the list of the strike committee before me, and go over them one by one, and say "This man is a Communist and that man isn't," to determine the exact percentage. I can merely say that by voting as a bloc that there was no time that the Communist Party didn't control the Strike Committee. They never controlled the Firemen's separate Strike Committee.

Q. Now, I want to direct your attention to the meeting at Madison Square Garden. When was that held?

A. That was held along the middle part of December, 1936.

Q. And under whose auspices?

A. It was held officially under the auspices of the [2043] Seamen's Defense Committee.

Q. Would that be the same Committee as the Strike Committee we have been talking about?

A. Yes, the Strike Committee, the Seamen's Defense Committee, the striking seamen of the ISU—we called ourselves various things, but it was all the same.

Q. Do you remember who the speakers were at that meeting?

A. Yes; I can recall some of them. Heywood Broun was one of them, Congressman Vito Marcantonio was another.

Q. Was Heywood Broun a Communist?

A. Not that I know of. I never did look on him

(Testimony of William C. McCuiston.)

as a Communist. I looked on him as a good natured liberal.

Q. Was Congressman Marcantonio a Communist? A. In my opinion he was and is.

Q. Proceed.

A. I don't know, but that is just an opinion of mine.

Q. Proceed, please.

A. Also a negro preacher named Powell.

Q. Was he a Communist?

A. I couldn't tell you. I never had seen the man before and can't recall ever having seen him since.

Q. When you asked you about those men, whether they were Communists, you understood me to mean members of the Communist Party?

A. Yes. [2044]

Q. All right.

A. I draw a great difference between the two also.

Q. So your testimony is that when I asked you about whether Mr. Broun was a Communist, and whether Mr. Marcantonio was a Communist, you, in your answer, understood that I was asking you whether they were members of the Communist Party, is that correct?

A. That is correct.

Q. Will you proceed, please?

A. Harry Bridges spoke. I spoke. I was not a Communist; Harry Bridges was a Communist.

Q. Who else spoke?

A. I can't recall the other speakers off-hand.

Q. Do you remember any representatives from any other unions being there?

(Testimony of William C. McCusick.)

A. Yes; Hoyt Haddock.

Presiding Inspector: You mean as speakers?

Mr. Gladstein: As speakers; yes.

The Witness: As speakers? No, he was just on the rostrum. I thought you asked me representatives of other unions that were there. I made a mistake.

Presiding Inspector: He is asking about the speakers.

The Witness: I can't recall others.

By Mr. Gladstein:

Q. Was any speaker there from International Ladies [2045] Garment Workers Union?

A. I don't recall whether there was or not. I recalled we received a check for \$500 from them in the collection.

Q. Do you remember a man named Zimmerman who represented that organization?

A. I remember the name, but I don't remember whether he was there as a speaker or not. I cannot tell.

Q. Do you recall whether he was there on the rostrum?

A. I know that Sidney Hillman was invited, but didn't come. It is possible he sent Mr. Zimmerman to represent him.

Q. Who else that you remember?

A. Speakers?

Q. Yes.

A. I remember no others. If you would refresh

(Testimony of William C. McCuiston.)

my memory I might recollect. It appeared in all the papers in town. Approximately 18,000 people, I think, attended the meetings; something like that.

Q. Have you ever called Heywood Broun a Communist, or a Communist figure?

A. I never did. I have talked with Heywood Broun. I never believed him to be a Communist. In fact, I have argued with other people who said he was.

Q. I asked whether you ever called Mr. Broun a Communist.

Presiding Inspector: He said he didn't believe so.

Mr. Gladstein: I didn't ask whether he believed he was; [2046] I asked if he had ever called him a Communist.

Presiding Inspector: That is a manner of speech. He means that it is his best recollection that he hadn't. You understand the ordinary manner of speech that people use.

Mr. Gladstein: I want it clear.

Presiding Inspector: What difference does it make whether he called Heywood Broun a Communist or not?

Mr. Gladstein: It may make considerable difference.

Presiding Inspector: You are bound by his answer anyway.

Mr. Gladstein: I still would like the question put, your Honor.

(Testimony of William C. McCuistion.)

Presiding Inspector: Read the answer to the last question.

(The answer referred to was read by the reporter as above recorded.)

Mr. Del Guercio: I think that answers it.

Presiding Inspector: It may be doubtful. I thought it was stronger than that.

The question is whether or not you have ever called him a Communist.

A. Never, to the best of my knowledge.

I just recall another speaker at the meeting since the word "Communist" was brought up. One of the speakers was Carl Brodsky, definitely a self-admitted Communist.

By Mr. Gladstein: [2047]

Q. Who was he representing?

A. International Workers Order.

Q. You mentioned a while ago that you were in disagreement with the Communist Party on the question of the liquidation, as you called it, of the Marine Workers Industrial Union. Is that right?

A. That is correct; yes, sir.

Q. Can you think of anything else on which you were in disagreement with them?

A. No, nothing in particular; except the fact of their rule or ruin policy.

Q. Anything else?

A. I can't recall—just general disagreement; that was all.

(Testimony of William C. McCuistion.)

Q. General disagreement?

A. Fed up with them.

Q. General disagreement on what?

Mr. Del Guercio: I think the term "fed up with them" is sufficient, if your Honor please.

Presiding Inspector: Let him explain.

A. First, I was fed up with the trade union policy very definitely. That was in itself sufficient.

By Mr. Gladstein.

Q. What was the trade union policy on which you were fed up? [2048]

A. That trade union policy was the liquidation of the independent unions of the Trade Union Unity League, and the infiltration of the membership of these unions into the American Federation of Labor for the definite purpose of seizing control of the Federation.

Q. Well, the disagreement was that the Communist Party wanted to liquidate the TUUL unions and you were opposed to that, is that right?

A. Yes, that was the main disagreement.

Q. Now, were these unions Communist front unions?

A. No. They were not Communist front unions. They were Communist Unions.

Q. They were Communist unions. That is, Communist-controlled and the members Communists?

A. A good percent of the members were Communists and the control was a hundred per cent Communist.

(Testimony of William C. McCuistion.)

Q. Your position was that you wanted the Communist unions continued?

A. Absolutely. I didn't believe in subterfuge. I believed that if you were a Communist you should call yourself one. I didn't lie about it when I was a Communist. I told the world about it.

Q. Can you think of any other question that you disagreed on?

A. No. I can think of the disagreements. They [2049] were petty disagreements. This was a basic disagreement. There might have been individuals that I had little discussions or disagreements with, but this was the basic disagreement.

Q. Was there any disagreement in principle with the Communist Party?

A. Disagreement in principle?

Q. Yes.

A. No. At that time I believed in theories of Communism absolutely. In fact, I continued to believe in Communism theoretically until I saw them in action in Spain, and then this being fed up turned into absolute wholehearted disgust.

Q. What did you consider those principles in a general way to advocate with respect to the government of this country?

The Witness: What?

Mr. Gladstein: Read the question.

(The question referred to was read by the reporter as above recorded.)

A. I considered those principles to lead to an organization of a proletarian revolution to over-

(Testimony of William C. McCuistion.)

throw the United States of America and to set up a workers' state. I agreed with ~~those~~ principles and I agitated and propagated for those principles at that time..

Q. Did you personally believe in or advocate the use of violence to overthrow the Government of the United States? [2050]

A. I personally used violence at various times when I was so instructed.

Mr. Gladstein: Do you want to adjourn now?

Presiding Inspector: No. We have had a good deal of time out today.

Mr. Gladstein: I can go on to another topic, but I won't be able to finish with the witness today.

Presiding Inspector: Well, you had better go on for ten minutes more, eight minutes more. You may finish that topic.

Mr. Gladstein: I beg your pardon?

Presiding Inspector: You may finish the next topic. Of course, I have no information on that. That's a mere surmise.

By Mr. Gladstein:

Q. Will you repeat again the names of the three attorneys who represented you in New Orleans?

Mr. Del Guercio: I thought we were going into a new topic.

Mr. Gladstein: I have something new upon it.

Presiding Inspector: Haven't you had that before?

(Testimony of William C. McCuistion.)

Mr. Gladstein: Not the thing that I am going to ask.

Presiding Inspector: I know, but haven't you their names?

Mr. Gladstein: I didn't put them down. I don't remember [2051] them.

Presiding Inspector: All right. Let Mr. Gladstein put them down. Just give the names again.

A. Attorney Culligan—

By Mr. Gladstein:

Q. Culligan?

Presiding Inspector: You spelled that before. Perhaps you had better spell it again.

The Witness: C-u-l-l-i-g-a-n. I understand he has now moved from New Orleans.

Presiding Inspector: Never mind! Give the next name.

A. (Continuing) Koorie.

Presiding Inspector: And the next name?

The Witness: Braniff.

By Mr. Gladstein:

Q. Are they associated together or do they have separate offices?

Mr. Del Guercio: Oh, that has been asked and answered. They have offices in New Orleans.

Presiding Inspector: Yes. You have already answered that. The next question.

Mr. Gladstein: I withdraw it.

(Testimony of William C. McCuistion.)

By Mr. Gladstein:

Q. I think you said that Mr. Koorie volunteered for you?

A. All three of them. [2052]

Mr. Del Guercio: That has been answered also, your Honor.

Presiding Inspector: Well, he has answered it.

Mr. Gladstein: I haven't asked the question yet.

Presiding Inspector: What difference does it make whether he said it or not?

Mr. Gladstein: Because I—

Presiding Inspector: (Interposing) You want to get a running start.

Mr. Gladstein: I want to make it introductory to the question.

Presiding Inspector: Go ahead. He has already said that. He said it just now.

By Mr. Gladstein:

Q. Did Mr. Koorie volunteer?

Presiding Inspector: He has already said that all three volunteered.

Mr. Gladstein: I didn't hear.

Presiding Inspector: You should listen to the answers.

Mr. Gladstein: I couldn't while Mr. Del Guercio was talking and your Honor was talking also. I didn't hear the answer.

Presiding Inspector: I could hear it even above my own talk. Now, read the answer.

(Testimony of William C. McCuistion.)

(The answer referred to was read by the reporter as [2053] follows:

"A. All three of them.")

By Mr. Gladstein:

Q. Now, do you know how Mr. Culligan happened to volunteer?

A. Yes, sir. He stated to the jury that he volunteered because he thought that I was a victim of a frame-up by the Communist Party and he felt it was his duty as a lawyer and a member of the Louisiana Bar Association to volunteer.

Q. Do you know how Mr. Braniff happened to volunteer?

A. Mr. Braniff volunteered by his own statement because he had formerly represented the CIO and certain individuals who were Communists in strikes, and he felt that I was a victim of frame-up through having talked with some of these people that he had previously defended and, as such, he felt it his duty to volunteer in my defense.

Q. And is it correct that Mr. Koorie volunteered because of his personal friendship for you?

A. Because of personal friendship.

Q. Do you know whether the volunteering of any of those three attorneys was induced by the Dies Committee or any representative of that Committee?

Presiding Inspector: Answer "yes" or "no."

A. I know positively that it was not. No:

By Mr. Gladstein: [2054]

Q. Do you know whether it was induced by any

(Testimony of William C. McCuiston.)
representative of the Federal Bureau of Investigation?
A. I know positively it was not.

Q. Or by the Department of Justice?

A. It was not.

Q. Or was it induced as to any one of those three men by Mr. Delaney? A. No.

Q. After you first met Mr. Delaney were you reporting activities of any kind to him?

A. None whatsoever. I told you that before also. I have never reported activities of any kind to anyone.

Mr. Del Guercio: If your Honor please, we haven't gone into a new topic yet.

By Mr. Gladstein:

Q. Were you present at your trial?

Presiding Inspector: Perhaps we will before we finish.

A. Was I present at my trial?

By Mr. Gladstein:

Q. Throughout your trial?

A. Well, I was under arrest. They didn't let me go out.

Q. Were you present at your trial?

A. Certainly I was present.

Q. Did you hear all the testimony?

A. Certainly I heard all the testimony.

Q. Mr. Delaney testified for you? [2055]

A. Yes, sir.

Q. Did he testify that you had been reported to him concerning Communistic activities in the NMU

(Testimony of William C. McCuistion.)

and that you were reporting your findings to Mr. Delaney?

A. I don't remember the exact words. He testified that we had discussed these things. "Reporting," I made no reports to anybody. How could I report? I had no job?

Q. Did he testify that you were watching out for Communistic activities in the NMU?

A. I was doing that, yes.

Q. Did he testify to that?

A. I don't know whether he—I don't recall him saying that, no.

Q. Did he testify that you reported findings to him?

A. No, he did not testify to that.

Q. Did you report findings to him?

A. No, I reported nothing to him. I discussed a lot of things with him and with a thousand other people.

Q. Now, you identified a document today as being one containing the doctrines of the Industrial Workers of the World?

A. I did not identify the document as containing the teachings and doctrines of the Industrial Workers of the World. I said it was a document published by the Industrial Workers of the World. I stated that I was not aware or not an authority on the doctrines of the IWW. [2056]

Q. Do you know what the contents of this document happen to be?

A. I would have to re-read it in its entirety to

(Testimony of William C. McCuistion.)

refresh myself on that. I identified it largely by the shield on it and by the fact that I am familiar with the emblem of the IWW.

Q. Well, anybody looking at the cover could say that it purports to be published by the IWW. Do you want to add anything to what anybody could say by such an examination?

A. Yes. I explained the meaning of the shield, the stars, the world, and the various meanings of the various designs of it.

Q. You don't claim that this document represents the teachings or the principles of the IWW, do you?

A. Certainly not. I'm not an authority on the IWW. The document will have to speak for itself on that.

Presiding Inspector: I think you left it a little ambiguous.

Mr. Gladstein: Why? Do you want to ask a question, your Honor?

Presiding Inspector: No. I don't understand quite what the question was. Did you mean to imply that it didn't?

Mr. Gladstein: I don't know whether it does or not, and I wanted to know whether this witness claims that it does.

Presiding Inspector: No. He says he doesn't know. [2057]

Mr. Gladstein: That is all I wanted to question him about.

(Testimony of William C. McCuiston.)

Presiding Inspector: But there might be an inference drawn that it did not, from the way the question was put.

Mr. Gladstein: I know nothing about the document. I have never read it and I don't know what it purports to represent.

Presiding Inspector: I don't suppose that you did. I still think the question was ambiguous or it might be ambiguous.

Mr. Gladstein: Well, let's have the question and answer. I don't want any ambiguity.

Presiding Inspector: No. You don't know whether it does or not, is that it?

The Witness: Yes, sir. I couldn't speak with authority on it.

Mr. Gladstein: Well, in view of the witness' answer I think that the document should be stricken from the record and I make a motion.

Presiding Inspector: I said that I would reserve the motion to strike.

Mr. Gladstein: All right.

Presiding Inspector: I suppose counsel was going to connect it up by someone else and we will hold it until that time, then I will pass on the motion to strike. [2058]

Mr. Del Guercio: Your Honor, I refrained from introducing any further documents on the IWW in view of that.

Presiding Inspector: Well; if you are not going to do anything more with this document I will strike it out.

(Testimony of William C. McCuistion.)

Mr. Del Guercio: Not at the present time. No, I am not going to do anything more with it.

Presiding Inspector: Then we will hold it.

Mr. Gladstein: Of course, if your Honor rules on my motion to strike, to the effect that it should be stricken from the record, that does not mean that it cannot remain an exhibit for identification.

Presiding Inspector: I shall not allow it to stay in unless there is some further proof.

Mr. Del Guercio: I do intend to follow it up.

Presiding Inspector: That is what I expected. That is what I thought. Are you at the end of a particular subject?

Mr. Gladstein: Yes.

Presiding Inspector: Tomorrow morning.

(Whereupon, at 4:17 P. M. an adjournment was taken until Friday, April 25, 1941, at 10:00 A. M.) [2059]

Court Room 276,
Federal Building,
San Francisco, California,

April 25, 1941.

Met, pursuant to adjournment, at 10:00 A.M. [2060]

PROCEEDINGS

Presiding Inspector: You may proceed.

WILLIAM C. McCUISTION

called as a witness on behalf of the Government, having been previously duly sworn, testified further as follows:

Cross Examination (Resumed)

By Mr. Gladstein:

Q. Mr. McCuiston, there are a few things that I neglected to ask you yesterday about topics that you were discussing and I would like to clear those up first before I go on to something else.

Do you recall you said the very first time you met Mr. Bridges he bought a meal for you and I think you used the word "dinner". Which meal do you intend to mean by that?

A. I said he bought a meal. I didn't use it in any particular sense. I wasn't eating very regularly. It could have been in the morning or in the afternoon. I don't recall the exact meal.

Q. I believe you said "dinner", and I think I can probably find that. I wondered whether you used the word "dinner" to mean the noon meal or the evening meal. Sometimes people use it to mean one thing and sometimes another?

A. In Texas it is breakfast, dinner and supper. That was the way I was raised.

Q. What is your best recollection as to when this meal [2061] was bought for you?

A. I don't remember the exact time. In all probability it was during the day some time; either in the early morning or the late afternoon. It was in the range of time during the day hours.

(Testimony of William C. McCuistion.)

Q. Did Mr. Bridges pay for the dinner or did Mr. Reed pay for it?

A. Bridges paid for the dinner.

Q. Did he pay for both you and Reed?

A. Reed wasn't there.

Q. He was not at dinner? A. No.

Q. When you first met Bridges that day I think you said you were in some lot of some kind?

A. No. I said I was sitting on the railing at the foot of Clay Street.

Q. Were you alone?

A. I said I was with Reed and that Bridges came up and that Reed introduced me to Bridges.

[2062]

Q. I see. How long would you say that you spent in the conversation and in having dinner with Bridges?

A. A maximum of twenty, twenty-five minutes.

Q. Did you leave the restaurant with Bridges?

A. No. We probably went to the door together. As I say, I didn't attach any particular importance to the incident then and I don't recall the details of it. I have eaten some thousands of meals since then that I couldn't describe either.

Q. Was Reed there at the time?

A. No, Reed was not there at the time.

Q. Where did you meet Reed later that day?

A. I was with Reed later that day at a number of places. If I recall correctly, I think that Reed had to go and get excused from picketing duty, picketing Standard Oil Filling Stations. At that

(Testimony of William C. McCuiston.)

time, why, the union was paying the pickets with meal tickets and with a certain sum in cash to go out and picket these various filling stations during the Standard Oil strike. Reed got excused from picket duty and he and I bummed around some that day, during the day, I don't remember just what we did or where we went, who we talked to. We probably talked to fifteen or twenty different persons, maybe more, maybe less.

Q. There is no doubt in your mind that that is the first time you ever met Bridges?

A. I don't know. Maybe Bridges can refresh my memory on it. I don't remember recall having met him before. [2063]

Q. When you testified before the Dies Committee were you sworn?

A. I was sworn; yes, sir.

Q. Did you tell the truth?

A. I told the truth.

Q. Have you told the truth here?

A. I have told the truth here.

Q. Were you asked before the Dies Committee whether you knew if Bridges was a Communist and, if so, what you based your statement on?

A. Yes sir, I was asked that.

Mr. Del Guercio: Just a minute. If you are reading from the Dies Committee report I would like to know the page number and tell the witness what he said.

Presiding Inspector: Yes, give him the page.

Mr. Gladstein: If I am reading from it I will.

(Testimony of William C. McCuiston.)

but I was not in the question I just asked, Your Honor.

Was there an answer to the question?

The Reporter: Yes.

Presiding Inspector: He answered "Yes."

By Mr. Gladstein:

Q. Did you mention to the Dies Committee this incident that happened when Frederick Reed introduced you?

A. I didn't mention it. I only answered the questions [2064] that counsel for the Dies Committee asked me.

Q. I asked you did you mention that incident?

A. No.

Mr. Del Guercio: Just a moment. That is an answer.

Presiding Inspector: Wait a minute. I will exclude the question.

By Mr. Gladstein:

Q. Did you mention to the Dies Committee the incident that same evening at the Dies Committee headquarters?

Presiding Inspector: Just a minute. Did you mention? I don't think that is a fair question.

Mr. Gladstein: I will withdraw it.

Presiding Inspector: It is deceptive, you know.

Mr. Gladstein: What is deceptive about it?

Presiding Inspector: That implies there was some requisite to mention it.

Mr. Gladstein: Well, I asked the witness

(Testimony of William C. McCuistion.)

whether he was asked if he knew as to whether Bridges was a Communist and, if so, on what basis, and he said "Yes."

Presiding Inspector: Yes.

Mr. Gladstein: All right. Now, I am asking him whether, during that testimony, he testified concerning this incident with Frederick Reed at the dinner.

Presiding Inspector: That implies it was a part of such an examination necessarily. [2065]

Mr. Gladstein: Well, I have a right to test his recollection, do I not, your Honor?

Presiding Inspector: Certainly.

Mr. Gladstein: All right.

By Mr. Gladstein:

Q. Did you discuss—

Presiding Inspector: (Interposing) Now, the question is: Was there any mention of that matter during your examination?

The Witness: No, there was no mention of that matter during my examination.

Presiding Inspector: That answers it. [2066]

By Mr. Gladstein:

Q. Did you testify concerning the meeting that evening at the Communist Party headquarters with Bridges? A. Not at all.

Q. Now, Mr. McCuistion, at page 6745, of Volume 11, of the official report published by the United States Government printing office, entitled "Investigation of Un-American Propaganda Ac-

(Testimony of William C. McCuistion.)
tivity in the United States Hearings before a Special Committee on Un-American Activities, House of Representatives, 76th Congress, First Session, on House Resolution 282," the following appears.

"Mr. Whitley:"—

I want to interpolate and ask you who Mr. Whitley is?

A. That was Ray Whitley, Chief Counsel of the Dies Committee, at that time.

By Mr. Gladstein:

Q. (Reading)

"Mr. Whitley:"—addressing you, says: "Mr. McCuistion, have you ever talked to Harry Bridges, had any conversation with him?"

"Mr. McCuistion: Yes; at various times since 1935.

"Mr. Whitley: Will you describe some of those conversations and the meetings?"

"Mr. McCuistion: The first conversation that I ever had with Harry Bridges at any length of time was in 1935 at San [2067] Francisco. That was shortly before Bridges was taken to the hospital with a perforated ulcer; and Bridges and I met just before the meeting of the Maritime Federation of the Pacific, and at that time I was introduced to Bridges by Pyle, of the Radio Telegraphists, and several others, and Bridges proceeded to ask me why I was there and what I was doing on the west coast."

Did you give that testimony?

A. Yes, sir.

(Testimony of William C. McCuistion.)

Q. Will you please reconcile the testimony that I have just read, which you gave before the Dies Committee, to the effect that you were first introduced in your first conversation with Bridges by a man named Pyle, with the testimony that you have given here that you were first introduced to Bridges by a man named Frederick Reed on Clay Street?

A. You are putting the wrong interpretation on that testimony right there. I stated, what I told you yesterday, on that I met Bridges later on at Party headquarters. I stated there were other persons present. I recall Roy Pyle was one of those persons that were present. Another introduction took place. Pyle was also a member of the Maritime Federation. I think he represented the Radio Telegraphists.

Q. Is it now your testimony that the reference in the Dies Committee report to Pyle, and the meeting at which Pyle introduced Bridges to you, was a reference to the meeting at [2068] the Communist Party headquarters on the night of the day when Frederick Reed and you and Bridges had the conversation?

A. This is the way I recall it—

Q. (Interposing) Please—

Mr. Del-Guercio: (Interposing) Let the witness answer. He was beginning to answer.

Mr. Gladstein: I think the question can be answered "yes" or "no" and he can explain.

Presiding Inspector: I think so, too.

(Testimony of William C. McCuiston.)

Mr. Gladstein: I will ask the reporter to read the question.

(The question referred to was read by the reporter as above recorded.)

A. I won't answer that directly "yes" or "no" because I had notes to refresh my memory at the Dies Committee. I have no notes here. At that time I know I met Pyle during the course of the day, now that it is recalled, but whether at headquarters that night, whether he was one of the men there, or whether he was down on the street where Frederick Reed was, I couldn't say. But I do know Pyle, I know him as a Communist—the world does—and he admits it himself.

Mr. Gladstein: Mr. Reporter, will you please read back about two questions, or three questions, where I asked the witness to reconcile the two answers, and he gives a statement to the general effect that he now recalls that he met Pyle down [2069] at the Communist Party headquarters?

The statement I now make is not intended as evidence, but merely to indicate to the reporter what portion of the testimony I wish read.

Presiding Inspector: Oh, yes. Off the record.

(Whereupon the portion of the record referred to was read by the reporter as above recorded.)

Presiding Inspector: Now, counsel puts the emphasis on the word "first". He says you have testified twice, testified to different occasions as

(Testimony of William C. McCuiston.)

being the first time that you met Bridges. Now, how do you reconcile that?

A. I would like to be able to read that section of my testimony to the Dies Committee to refresh my recollection on it. But, as I remember talking to the Dies Committee, I said I had a number of meetings with Bridges since 1935. As I recall it, the first time I met him I was introduced by Roy Pyle and several others. As I recall it, I also mentioned yesterday, that the first time I met him was when I was sitting on the railing with Frederick Reed. Well, naturally, I would attach more importance to Roy Pyle's introduction subsequently—maybe later on in the day, maybe a few minutes after that—and also at the headquarters that night, than I would to Frederick Reed's. Frederick Reed was a rank and file seaman who has no labor record whatsoever; while Roy Pyle is a labor official and, as such, the emphasis was placed on the questioning [2070] before the Dies Committee, on labor officials. They weren't interested in Frederick Reed, or anybody like that, but labor officials who were Communists.

I stated a minute ago that I met him in Company with Frederick Reed, and there were probably 15 or 20 people that day I talked to, and I can't recall every one I talked to. I may have talked to 15 or may have talked to 20.

By Mr. Gladstein:

Q. Mr. McCuiston, you testified a few moments ago, and you heard the reporter read it back to

(Testimony of William C. McCuiston.)

you, that you now recall that Mr. Pyle introduced Bridges to you at the Communist Party headquarters; is that true?

A. That is possibly true. I say, I am not positive, but to the best of my memory I met 15 or 20 people that night. Bridges knows we were together that night; Bridges knows we were together subsequently.

Presiding Inspector: Don't get into an argument.

By Mr. Gladstein:

Q. Is it your testimony now that Pyle introduced Bridges to you at the Communist Party headquarters that evening?

A. That is to the best of my recollection; that he introduced me some time during the day, and it was at the Party headquarters in the evening.

Q. Did you mention to the Dies Committee in your testimony that you had met Harry Bridges in the Communist Party headquarters [2071] in San Francisco?

A. No, I did not.

Q. Why not?

A. I wasn't asked that question.

Mr. Del Guercio: I object to the question "Why not?"—Was he asked the question?

Presiding Inspector: I think that is not quite fair.

By Mr. Gladstein:

Q. Did you have notes with you, you say?

A. I had certain notes of names of people.

Presiding Inspector: Isn't this very immaterial?

(Testimony of William C. McCuistion.)

Mr. Gladstein: Quite material; on the contrary, quite material.

Presiding Inspector: Why?

Mr. Gladstein: It is material because it goes to this point: That there is contradictory testimony given here by the witness on two occasions.

Presiding Inspector: That is a point on which a person naturally wouldn't charge his memory with. Incidentally, those things occur with any man. This, of course, is subject to your claim that there is a falsification. You have made the point so why continue?

Mr. Gladstein: I will continue with some other aspect then. [2072]

By Mr. Gladstein:

Q. Now, yesterday you testified, Mr. McCuistion, that when you first met Harry Bridges the question of your expulsion from the Communist Party some time previously was raised by Mr. Bridges. I read to you now from the bottom of page 6745 and the top of page 6746 of your testimony before the Dies Committee. I will preface the reading, so that you will understand what I am discussing, with a remark simply that this follows directly after the quotation that I read to you earlier, the latter portion of which is to the effect that you were introduced to Bridges, in your first conversation with Bridges, by Pyle, and several others were there, and that Bridges asked you why you were on the West Coast.

This is what follows, quoting now:

(Testimony of William C. McCuiston.)

"This was shortly after I had been expelled from the Communist Party for technically refusing to an agreement to follow a line of the Party. I told him I had been put out and I was going to go on a long trip to the Orient and think it over."

Please reconcile that statement with your statement in this case to the effect that Bridges—

Mr. Del Guercio: (Interposing) Your Honor, I object to the question for the reason that the answer is incomplete. Counsel has not completed the answer given by the witness. I think the witness should have the entire testimony. [2073]

Mr. Gladstein: Just a moment. I am asking for that portion—

Mr. Del Guercio: (Interposing) I am speaking to the Court.

Mr. Gladstein: I am conducting—

Presiding Inspector: (Interposing) Just a moment. The objection is made. If this isn't the whole answer I will exclude it. Read the whole answer.

Mr. Gladstein: I don't want to read the whole answer because a part of it covers other matters, your Honor.

Presiding Inspector: Well, let me see it.

Mr. Gladstein: I will let you see the whole answer. Why should I warn the witness in advance about the contradictory testimony he has given at two different hearings.

Mr. Del Guercio: I object to counsel's state-

(Testimony of William C. McCuiston.)

ment, and ask it be stricken from the record. It isn't contradictory.

Presiding Inspector: Just a minute.

(The document was handed to the Presiding Inspector.)

Presiding Inspector: I think I will let him answer the question.

Mr. Del Guercio: I still object, your Honor.

Presiding Inspector: I know.

Mr. Del Guercio: And I take exception.

Presiding Inspector: Very well.

Mr. Gladstein: Would you read the question, please, [2074] Miss Reporter?

Presiding Inspector: You can read the balance of it when you take him on redirect.

Do you have the question in mind, Mr. Witness?

The Witness: Yes, I have the question in mind he asked.

That bears out just what I said yesterday, that I came to the West Coast to make a trip to go to sea, that I wanted no further activity on the waterfront or in any kind of union work or any activity. I wanted to go to sea.

Presiding Inspector: No, I don't think you get the drift of it.

Mr. Gladstein: I will state it again.

By Mr. Gladstein:

.Q. Please reconcile the discrepancy between your testimony in this case that Bridges raised the question of your expulsion from the Communist Party

(Testimony of William C. McCuistion.)

with the testimony before the Dies Committee to the effect that you raised that question and told him that you had been expelled and were going for a long trip to the Orient?

A. I didn't say that.

Mr. Del Guercio: Just a minute before you answer.

I object to the question. In the first place it presupposes a discrepancy. There is no such discrepancy in this record. There is no contradictory testimony on that point.

Presiding Inspector: I don't remember the exact details [2075] in that respect.

Mr. Gladstein: Of yesterday's testimony on this, you mean, your Honor?

Presiding Inspector: Yes.

Mr. Gladstein: I will refresh your recollection. I happen to have a note of it.

Mr. Del Guercio: Well, I will not accept the note.

Mr. Gladstein: I mean, I have a note that gives the page on which Mr. McCuistion testified and I won't read my note. I will read—

Presiding Inspector: (Interposing) Just let me see it.

Mr. Gladstein: At the top of page 1929.

Presiding Inspector: I will get the testimony in just a moment.

Mr. Gladstein: All right.

Mr. Del Guercio: If the Court please, there is nothing in this—

(Testimony of William C. McCuistion.)

Presiding Inspector: (Interposing) I just want to examine it myself.

Where is it, Mr. Gladstein?

Mr. Gladstein: Beginning at the top of page 1929, and I am afraid to get a complete grasp of it, your Honor, you will have to read that entire page and the following page, a portion of the following page.

Presiding Inspector: (Examining transcript) Now, what [2076] was the question, Miss Reporter?

(The question referred to was read by the reporter as above recorded.)

Presiding Inspector: Well, don't you think you better put it more in the words of the witness, that Bridges mentioned your expulsion?

Mr. Gladstein: I will do that, your Honor, yes.

By Mr. Gladstein:

Q. Please reconcile, Mr. McCuistion, the testimony you have given in this proceeding to the effect that Bridges mentioned to you that you had been shortly before expelled from the Communist Party with your testimony before the Dies Committee to the effect that you told Bridges you had been put out of the Communist Party and that you were going to go on a long trip to the Orient?

Presiding Inspector: Now, when was this conversation, how many years ago?

Mr. Gladstein: It is very significant—

Presiding Inspector: (Interposing) How many years ago was it?

(Testimony of William C. McCuistion.)

Mr. Gladstein: Ask the witness. He claims that—

Presiding Inspector: (Interposing) No; I ask you how many years ago was it?

Mr. Gladstein: Well, he claims it happened in 1935.

Presiding Inspector: Yes. If you want the question you may have it. [2077]

Mr. Del Guercio: Your Honor, may I—

Presiding Inspector: (Interposing) No; you just want to except or object?

Mr. Del Guercio: Well, I had a point there.

Presiding Inspector: Well, I will hear that.

Mr. Del Guercio: There is nothing in this question that counsel was reading wherein he says that he told Bridges that he had been expelled from the Communist Party. What the transcript shows, it says this, the witness speaking:

"This was shortly after I had been expelled from the Communist Party for technically refusing to an agreement to follow a line."

•Counsel says—

Mr. Gladstein: (Interposing) Continue, please. The following page says, "I told him I had been put out."

Mr. Del Guercio: "And was going on a long trip to the Orient."

Mr. Gladstein: That is just what I said.

Presiding Inspector: Now, let's not get in a dispute as to what was meant by certain testimony

(Testimony of William C. McCuistion.)

which may or may not have different implications.
I will allow the question.

Mr. Gladstein: Will you read the question, please?

(The question referred to was read by the reporter as above recorded.) [2078]

A. The testimony itself reconciles it. The testimony before the Dies Committee states that Bridges asked me what I was doing out here:

Presiding Inspector: Well, now, you——

The Witness: (Interposing) And I have been an active official.

Presiding Inspector: You think that you find no discrepancy?

The Witness: I find no discrepancy whatsoever.

Presiding Inspector: Therefore, you don't care to reconcile?

The Witness: I don't care to reconcile.

By Mr. Gladstein:

Q. You claim, then, that both your statements to the Dies Committee and your statements here on that subject are true?

A. They are true. The wording may be a little different but it is true. It is reporting a conversation that I don't claim to remember accurately. I have no shorthand notes of the conversation.

Q. Now, you recall, don't you, Mr. McCuistion, that you were giving this testimony concerning Bridges because of the fact that you had been asked what knowledge of information you had as

(Testimony of William C. McCuiston.)

to whether he was a Communist. You re- [2079] call that, don't you?

A. Read the question. I don't recall that.

Mr. Del Guercio: If your Honor please, I don't find that he was asked that question by the Dies Committee. I think I ought to know.

Mr. Gladstein: If I read any question from the transcript I will certainly call it to counsel's attention. I have a right to ask questions without referring to the transcript if I want to.

Presiding Inspector: Yes, you have a right to ask questions without referring to the transcript, but, of course, you can't lead him in that respect.

Mr. Gladstein: Well—

Presiding Inspector: You may ask his recollection.

Mr. Gladstein: All right.

Presiding Inspector: But if you are asking for certain testimony heretofore given and your question imports that the testimony was given, then, you must read from the transcript.

Mr. Gladstein: All right, I will put it this way, withdraw that question, and ask you this:

By Mr. Gladstein:

Q. In your testimony before the Dies Committee, or while you were there, weren't you asked how you know that Bridges is a Communist? [2080]

A. I don't remember whether I was asked that question in so many words. I remember the reason I told them that I thought Bridges was a Communist.

(Testimony of William C. McCuiston.)

Q. What was that?

A. That was that leading members of the Communist Party had so told me and so informed me. That is the only way you know anything. The only way I know you are a lawyer is because you are sitting there asking me questions. I haven't seen your diploma.

Q. Well, now, just to refresh your recollection, calling your attention to page 6522 of that same transcript, Mr. McCuiston, the question is as follows:

"Mr. Voorhies—" who was he?

A. A Congressman from California, member of the Dies Committee, a Democrat.

Q. Who asked you questions, among others?

A. Various members had the right to ask questions, yes.

Q. All right. On that page the following appears:

"Mr. Voorhies: Mr. McCuiston, how do you know that Bridges was a Communist at that time?"

Mr. Del Guercio: Now, if your Honor please, just a short time ago counsel said that he was not referring or reading from the record. Now, it is obvious here that he was and he has not only misled the witness, he has misled the Court. [2081]

Presiding Inspector: I will take it. Go ahead.

By Mr. Gladstein:

Q. Do you recall being asked that question?

A. I don't recall it. Let me look at the testimony

(Testimony of William C. McCuiston.)

and I will take it—if you say you are reading from the record I will take your word for it.

Q. Oh, no. Your attorneys here will follow me. They have a copy.

Presiding Inspector: No, just a moment.

A. They are not my attorneys.

Presiding Inspector: You ought to withdraw that.

Mr. Gladstein: I will withdraw it. Mr. Del Guercio and Major Schofield, I am sure, will correct me if I have read it wrong. I will re-read it, page 6522 at the bottom of the page.

Do you have that, Mr. Del Guercio?

Mr. Del Guercio: We don't have that. The statement we made, you were deceiving the Court.

Presiding Inspector: No, no, we can't have quarreling here.

Br. Gladstein: Do you have that before you?

Presiding Inspector: Go ahead.

Mr. Gladstein: Well, I don't want to read until he is ready.

By Mr. Gladstein:

Q. All right, Mr. Voorhies asked you a question, Mr. [2082] McCuiston. He says, "Mr. McCuiston, how do you know that Bridges was a Communist at that time?"

A. Yes, I will say I was asked that question; somebody asked me that question. If you are reading it must be there.

Q. You testified a good deal about Bridges in that case, didn't you?

(Testimony of William C. McCuiston.)

Mr. Del Guercio: Well, if your Honor please, that is argumentative. "Well, you testified a good deal in that case."

Presiding Inspector: Oh, yes. Well, it doesn't make a great deal of difference; it is a very slight matter. I think he can answer that.

Mr. Gladstein: Can you answer?

A. Yes, I testified. I answered every question that was asked me.

By Mr. Gladstein:

Q. Yes. Now, after you gave the testimony which appears on page 6745 of the Dies Committee report in which you say that the very first conversation you ever had with Bridges was when Pyle introduced you, on the following page, page 6746—

Do you want to make an objection?

Mr. Del Guercio: Yes, I do. I want to know wherein on page 6745 the witness said that the very first conversation he had with Mr. Bridges—

[2083]

Mr. Gladstein: (Interposing) All right, I will read it.

Presiding Inspector: No, well, I don't think you need to take time for that. Go ahead and ask the question.

Mr. Gladstein: Thank you, your Honor.

By Mr. Gladstein:

Q. On page 6745 you testified that the first conversation that you ever had with Harry Bridges was in 1935 when you met Bridges before the Mari—

(Testimony of William C. McCuiston.)

time Federation Convention and you were introduced to Bridges by Pyle of the Radio Telegraphers.

On the following page you were asked "Did you have any subsequent conversation with him, Mr. McCuiston" and your answer was "The next conversation I had with Harry Bridges was the one I related at Madison Square Garden, the time of the Madison Square Garden meeting when we discussed the Communists generally, and also the question came up in the course of that time that while I was pretty well straightened out, why, I did not come back in the Party."

Do you recall giving that testimony?

A. Yes, I recall giving that testimony.

Q. Why didn't you tell the Dies Committee about the conversation you had with Bridges that you claim in this case down on Clay Street when Frederick Reed introduced you, or the conversation you claim you had with Bridges at the Communist Party headquarters that night?

A. If you will read the entire testimony instead of just reading a few excerpts you will find that that whole thing is explained in the Dies Committee very fully. This testimony there, and I have read that Volume 11 myself since that time, isn't together in the exactly exact order in which it was given. If you remember, you read a question and an answer just a few minutes ago and in that question was whether I had ever talked to Bridges and I said several times in 1935, which covered that various—the various meetings, the two meetings

(Testimony of William C. McCuiston.)

that day. Several could be two there. There may be a question of five minutes discussion here or five minutes discussion there, and yet you come over here and you read another question that is entirely foreign. If you want to know the real truth of the matter, it is that Mr. Whitley—and he will verify this for the Judge or for the Government or for yourself—was asked by certain members of the Committee not to go into the Bridges matter any too far because the decision, I don't think, had been finally handed down at that time in the Bridges' case, and that they thought that this was a matter for the Government Courts. Anyway, the questions on Bridges were shut off very sharply and several times they were renewed by various members of the Committee, such as Congressman Voorhies. [2085]

Now, if you will go three or four pages back in that testimony and three or four pages ahead and read all the questions at once and sum them up you will get the right answers. You are getting the right answers here. I am not lying to you. I don't lie to anybody. I don't have to. [2086]

Q. If I do, Mr. McCuiston, go three pages or four pages in each direction from the point where I have been reading from the Dies Committee records, will I find any mention of these two meetings, the one on Clay Street, and the other at Communist Party headquarters?

Mr. Del Guercio: If your Honor please, I

(Testimony of William C. McCuistion.)
object to that question. He hasn't shown the witness the testimony.

Presiding Inspector: He is testing his recollection. He may ask him. You are now assuming that these were all considered separate conversations?

Mr. Gladstein: Yes.

Presiding Inspector: Although they occurred in the same day?

Mr. Gladstein: There is no indication that they did.

Presiding Inspector: There is no indication that they didn't.

Mr. Gladstein: I will ask the witness that later.

Presiding Inspector: All right.

Mr. Gladstein: I will ask that later: If he says he was introduced to Harry Bridges three times in one day the first time, that is all right with me.

Presiding Inspector: He said twice.

Mr. Gladstein: On the same day.

Presiding Inspector: Yes.

By Mr. Gladstein: [2087]

Q. First of all, I want an answer to the last question, which is, you claim that if I—

Mr. Del Guercio: (Interposing) Let the reporter read the question.

Presiding Inspector: I will let him restate it. That means the technically withdraws the question unanswered.

Mr. Gladstein: I will not withdraw the question.

(Testimony of William C. McCuiston.)

The question can be read by the reporter if counsel wants to be technical.

Presiding Inspector: You don't need to do that. You can withdraw the question and ask it again. Which would you prefer to do?

Mr. Gladstein: I will ask the question.

By Mr. Gladstein:

Q. Do you claim that if I go three or four pages in both directions from the point where I have been reading from the Dies Committee record that I will find any mention of the meeting between you and Frederick Reed and Harry Bridges, or the meeting at Communist Party headquarters between you, Bridges and others?

A. I don't claim that; no. You might and you might not. It might be a good idea for you to read it.

Q. Do you claim that—let me ask you this—if I read the whole testimony that you gave before the Dies Committee, everything, do you claim that I would find any mention of either [2088] your meeting with Frederick Reed, Bridges and yourself, or your meeting at Communist Party headquarters with Bridges and others?

A. I say, I don't know. I don't recall as directly as that. I know you will find reference to my meeting with Bridges, but whether I said the exact place I met him or not, I can't remember that. I might have met him at Communist headquarters, I might have met him down town, but I know I met him at Communist Party headquarters and

(Testimony of William C. McCuiston.)

I know I met him on Clay Street. Whether I said that to the Dies Committee or not, I wouldn't know until I was able to refresh my memory by reading over the testimony.

Q. You testified yesterday that concerning the 1936 meeting at Madison Square Garden—

Presiding Inspector: May I see the report of the Dies Committee for a moment?

Mr. Gladstein: Yes.

(The report referred to was passed to the Presiding Inspector.)

By Mr. Gladstein:

Q. You were testifying about the Madison Square Garden meeting in 1936. Is this a correct summary of what you said: That the Communists, or the members of the Communist Party with whom you were meeting, decided that Bridges had to come to the east, and they had you telephone to Innes to get hold [2089] of Bridges first?

A. That is practically a summary of what I said.

Q. You were not a member of the Communist Party at that time? A. I was not.

Q. Was Innes, to your knowledge, a member of the Communist Party at that time?

A. Innes was not.

Q. So that the Communist Party had you, a non-Communist, call another non-Communist—you can wait until I finish.

A. I haven't said anything.

Q. You started to.

A. You are a mind reader.

(Testimony of William C. McCuistion.)

Mr. Del Guercio: I don't think that admonition was necessary.

Presiding Inspector: Never mind. These matters always occur in trials.

By Mr. Gladstein:

Q. (Continuing) —that the Communist Party had you, a non-Communist, telephone Innes, another non-Communist, to get hold of Bridges?

A. Yes.

Q. When you said you spoke to Innes was he in San Francisco at that time?

A. No, no, no, no. [2090]

Q. From where did you speak to him?

A. The first call to Innes was a call to Innes at San Pedro. That was made not by me. That wasn't the first call. When I spoke to Innes I was with Tommy Raye, after the decision had been made by the Party.

Q. Where was Innes when you spoke to him?

A. He was in Bridges' office.

Q. And later on you say Innes called you back?

A. Innes called back from a pay station to a pay station.

Q. And you spoke to Innes?

A. I spoke to Innes.

Q. He was in San Francisco at the time?

A. He was in San Francisco at that time.

Q. And he put Bridges on the phone?

A. He put Bridges on the phone and Raye talked to Bridges.

Q. That is your testimony, is it?

(Testimony of William C. McCuistion.)

A. That is my testimony.

Q. Can you tell us the date of that?

A. I cannot. However, there are certain records of that. I testified before a Federal Grand Jury concerning that matter and I think it is a matter of record. That was a Federal Grand Jury in Washington, D. C. I think they have a few telephone records on that thing. [2091]

Q. Can't you give us your best recollection as to the date with relationship, say, to the meeting itself?

A. I cannot. That took place before the meeting. I was a busy man, a member of the Strike Committee, and I was in full charge of investigation at that time. I had to cover a good many ports of the East Coast, in addition to coordinating the work between the non-Communists and the Communists on the Strike Committee. I had a pretty busy job. I can't recall the exact date.

Presiding Inspector: I don't think he asked for the exact date. I think he is asking for your best recollection as to how long it was before the meeting at which Bridges spoke.

The Witness: I would say roughly a couple or three weeks.

Presiding Inspector: That is your best recollection?

The Witness: Yes, sir.

By Mr. Gladstein:

Q. Two or three weeks before the actual meeting?

A. Yes.

(Testimony of William C. McCuiston.)

Q. It wouldn't be more?

A. I wouldn't say so; no.

Q. It wouldn't be less?

Presiding Inspector: He said he has given you his best recollection. He explained that he has no definite recollection. I do not see any object in pressing that. We have got to try the case with some knowledge of human memories, recollections, [2092] and that sort of thing; fundamental psychology.

Mr. Gladstein: I will bear in mind your Honor's admonition.

By Mr. Gladstein:

Q. Mr. McCuiston, you said yesterday that concerning your relationship with the National Maritime Union, until you were brought into court here you had never learned of the substance of the resolution expelling you, or purporting to expel you, except that you had heard some hearsay, or some indirect information about it. That was correct, wasn't it?

A. That is correct.

Q. Can you remember what that indirect information or hearsay was?

A. Oh, I had members of the Union come up and tell me. "Mac, they put through a resolution expelling you." And I told them, like I told you, that they couldn't expel me because I wasn't a member of the Union. Perhaps I was told about it maybe by 100 different guys. But as to seeing the actual wording of the resolution, I haven't seen

(Testimony of William C. McCuiston.)

if. I haven't seen it yet. I just heard you read it. I haven't even read the proceedings of that convention. I am not that much interested.

Q. You learned about this only from what other people told you? A. Yes.

Q. You didn't read about that in any official document [2093] given to you? A. No.

Q. Or in any official document of any kind connected with the Union? A. No.

Q. Does the Union have an official document, publication?

A. Document, publication—they have a publication, certainly.—The Pilot—and the seamen refer to it as the Junior Daily Worker.

Q. Did you learn about your expulsion from The Pilot?

A. I don't read The Pilot regularly. I read it when someone happens to hand me a copy.

Q. Will you please answer the question? You can answer that "yes" or "no".

A. I probably read in in The Pilot. There were a lot of columns on me in The Pilot. I read about myself every now and then.

Presiding Inspector: If you do not remember reading it in The Pilot just say so.

The Witness: I don't recall.

Presiding Inspector: He doesn't know whether it was in The Pilot or not. That isn't evidence on that point.

(Testimony of William C. McCuiston.)

By Mr. Gladstein:

Q. I will call your attention, Mr. McCuiston, to your [2094] testimony before the Dies Committee, the date of which, incidentally, I have not heretofore given. It appears, however, that you gave your testimony on October 30, 1939, and I think the following day. I haven't checked through. Is that correct, two consecutive days?

A. About three following days; I don't remember.

Q. On page 6730, of that record, I find this:

"Mr. Whitley: Were you subsequently expelled from the NMU at the New Orleans convention?

"Mr. McCuiston: The only thing that I know about it is that I read about it in The Pilot, that they expelled me by resolution. They entered a resolution in the last session of the convention after I had walked out, and said that I could not participate in it; that they would not let it be run on a democratic basis, as the record shows, and after that they entered a resolution declaring myself and half a dozen others automatically suspended for 14 years."

You gave that testimony, of course?

A. Certainly, I gave the testimony. You are reading it there. And since that was just a few months after it happened why I probably did read it in The Pilot.

Q. You think your recollection of the events concerning which you testified was better before the Dies Committee, of course, than today?

(Testimony of William C. McCuistion.)

A. They were a little bit fresher, especially, relative [2095] to my Union activities, because they both took place in 1939. I read The Pilot today if I can get a hold of a copy. I will read it tonight if I could get hold of a copy. I don't remember what was in it—just like remembering what is in the San Francisco newspaper.

Q. How many times were you expelled from the Communist Party?

A. Three or four times—I don't know. I never did get along any too good with them.

Q. Let me see. You testified yesterday—

A. (Interposing) I can give it to you exact now. I was expelled in 1930. I was expelled in 1935. I dropped out of the Party and was subsequently—the Party says they don't let you drop out. If they drop out they expel you as an absentee. In my early days in the Party, back in the early '20s, I couldn't remember the exact date of expulsion. So we will say roughly, three times. Possibly they slipped in an expulsion or two since then; I don't know.

Q. I will call your attention to page 2017 of your testimony yesterday:

“Q. I want to summarize and get this clear. Would it be correct, then, on the basis of your recollection that you first joined in 1921 or 1922 and remained a member until approximately 1924 or 1925?”

Presiding Inspector: What are you reading from? [2096]

(Testimony of William C. McCuistion.)

Mr. Gladstein: From the transcript of yesterday's testimony.

Presiding Inspector: All right.

By Mr. Gladstein:

Q. (Continuing reading)

"A. That is approximately correct, yes.

"Q. And what happened then?

"A. Well, as I say, I had never been very active. Just for lack of interest in what they were doing, I let the thing slide.

"Q. You mean that you resigned or quit?

"A. No, I just ceased to be a member. I didn't take the trouble of quitting. They might have dropped me later on after I left. I don't know. I just didn't bother to look up meetings or attend meetings or worry about what they were doing or anything else.

"Q. You mean that you didn't formally resign?

"A. No.

"Q. And you were not expelled or anything of that sort?

"A. Not to my knowledge, no, sir."

Is it still your testimony that as to the first time you severed your connections with the Communist Party you were not expelled?

A. Knowing the Communist party as I do, I wasn't told I was expelled. I didn't read about it in the Daily Worker. I [2097] know it is the habit of the Communist Party today that when a man drops out to expel him.

(Testimony of William C. McCuistion.)

Q. As far as you know at the present time you were never expelled when you dropped out of the Communist Party in 1924 or in 1925?

Presiding Inspector: What do you mean by that question? From his knowledge of their practice, do you mean?

Mr. Gladstein: I am asking for his knowledge.

Presiding Inspector: Knowledge. You are asking for his information.

Mr. Gladstein: I am asking for his knowledge because yesterday he said "Not to my knowledge."

Presiding Inspector: But that is very ambiguous.

Mr. Gladstein: You mean his statement?

Presiding Inspector: I mean your question.

Mr. Gladstein: In what way is it ambiguous?

Presiding Inspector: I think it is ambiguous in this way: He has testified here on knowledge, but I should think it was "information" from the course of the conduct of the Communist Party. It is possible that at the other time you are asking for his knowledge from direct information given him. Now, the two blend. But, as I understand it, you are now differentiating between them.

Mr. Gladstein: I will abandon this line of examination. [2098] It isn't important anyway.

Presiding Inspector: I do not think it is important. I do not want to cut you off if you think there is anything in it. I think the question should be very clear as to what you mean because he has

(Testimony of William C. McCuistion.)

testified that from his knowledge of the customs of the Party and he says he was then expelled.

By Mr. Gladstein:

Q. Now, you said, in your testimony yesterday, that the Waterfront Worker was edited by the people in New York. What did you mean by that?

A. I mean that they were responsible to the higher Party committees for the proper line being carried out in all publications, all Maritime publications of the Party fractions. In other words, they would send us finished copies to New York. As long as they hewed to the line pretty straight why there would be no howl about it. Maybe a suggestion would come in. But when they began getting off the line then was when the National Fraction, which had the power, actually sent them the orders that they had to write in such and such a manner about such and such a thing.

Q. What do you mean by the word "edited"?

A. Why by that I mean to supervise. I mean "edit" in the sense that an Editor of one of the papers in the City here supervises the contents of that paper; that he can cut out two or three lines of a story, or the whole paragraph, or the whole [2199] story, if he wants to. We had that power over the Waterfront Worker.

Q. You mean the reporter has to submit his story to the Editor, who goes over it before it appears?

A. Yes. If it gets by the Editor it is the

(Testimony of William C. McCuiston.)

Editor's hard luck, not the reporter's generally. I am not a newspaper man. I cannot qualify as an expert. But that is the sense in which I have used the word "edit".

Q. You are talking about before publication?

A. Not necessarily.

Mr. Del Guercio: There is no such inference.

Mr. Gladstein: I am asking.

A. (Continuing) I said we got the finished copy. We read it. As long as the Waterfront Worker followed the line correctly, all right, we said nothing about it; but the minute it didn't, why then we assumed stricter supervision over it. We had two members of the National Fraction here in the City of San Francisco directly responsible for looking over what went in the Waterfront Worker before it went out. That was Harry Hynes and Tommy Raye.

Q. Did you in the east ever get copies of the Waterfront Worker in advance of publication?

A. Two or three times; yes. That was during the discussion, the argument between Harry Bridges, Tommy Raye and Harry Hynes, when they had the argument with the District Bureau [2100-1] of the Communist Party here over the line of the paper. At that time we insisted that it be sent to the east coast, a dummy copy of it be sent to the East Coast, so that we could look it over before it was mimeographed here; before the stencils were even cut.

(Testimony of William C. McCuiston.)

Presiding Inspector: That was not the usual practice?

The Witness: That was not the usual practice; no.

By Mr. Gladstein:

Q. When was the paper first published?

A. I couldn't tell you the exact date of its first publication.

Q. I didn't ask for the exact date. Give me your best recollection of the approximate date?

A. The approximate date was two years after the strike; I should say around the early part of '32 or the latter part of '31—it might have still been in existence.

Q. I don't know whether I asked you yesterday, in connection with the times that you have been arrested or convicted, whether you were ever arrested for and convicted of riot in the city of Baltimore in 1934?

A. Yes, sir; I was an official of the Communist Party and was arrested, together with three other Communists, one of them Al Yates, at present a Communist, and a Union official in this city. The other two names I don't recall. We were arrested and convicted as Communists for inciting to riot. [2102]

Presiding Inspector: That answers the question.

Mr. Gladstein: The word "yes" answered it, but the witness wanted to make a speech.

(Testimony of William C. McCuistion.)

By Mr. Gladstein:

Q. I also wanted to ask you whether, in 1934, you were arrested in Buffalo and charged with arson?

A. No, sir; I was not charged with arson in Buffalo at any time.

Q. Were you charged with arson anywhere else?

A. No, sir.

Q. Were you arrested for arson?

A. I was never arrested for arson anywhere.

Q. Were you ever held for arson but not tried?

A. I was never held for arson.

Q. Were you ever arrested in Buffalo?

A. I was arrested in Buffalo and charged with assault.

Q. Once or more than once?

A. I was arrested, charged with vagrancy later. All of this took place while I was a Communist Party organizer.

Presiding Inspector: Didn't he testify about that?

Mr. Gladstein: I don't recall that he did.

Presiding Inspector: I think he did.

Mr. Gladstein: I am sure I didn't ask him about Baltimore; maybe I am wrong.

Presiding Inspector: You asked about Buffalo. [2103]

Mr. Gladstein: You would remember that.

Presiding Inspector: I would remember that:

yes.

(Testimony of William C. McCuistion.)

Mr. Gladstein: I have another topic to take up. Does your Honor want to take the morning recess?

Presiding Inspector: We will take a short recess.

(Whereupon a short recess was taken.)

[2104]

Mr. Del Guercio: If the Court please, a subpoena was issued for the appearance of Jim O'Neill at 10:00 o'clock this morning by the United States District Court Judge. I would like you to ascertain whether Jim O'Neill is present.

Presiding Inspector: Is James O'Neill present in the room? Jim O'Neill? (No response).

No one responds.

Mr. Del Guercio: May I ask the clerk, then, there be prepared to Judge Lauderback—

Presiding Inspector: Yes, if you will prepare a certificate I will certify that I called him after being sure a subpoena had been issued and served by the Federal District Court.

Mr. Del Guercio: Yes, a subpoena was served yesterday afternoon.

Presiding Inspector: Served yesterday afternoon?

Mr. Del Guercio: Yes. May I ask that he be called in the corridor also?

Presiding Inspector: Yes. Will you call in the corridor? Call loudly; leave the door open and call loudly for James or Jim O'Neill. Call loudly so I can hear it.

(Whereupon the name of James or Jim

(Testimony of William C. McCuiston.)

O'Neill was called in the corridor by a Patrol Officer.)

Presiding Inspector: That is all right, Mr. Officer. He doesn't respond. [2105]

The Officer: No one answers, your Honor.

Presiding Inspector: That is all right.

Mr. Del Guercio: May the record show that Jim O'Neill doesn't respond?

Presiding Inspector: Yes, neither in the Court room nor in the corridor.

Now, you may examine, Mr. Gladstein. We expect to adjourn promptly, to take a recess promptly at half past 12:00 today.

Mr. Gladstein: All right, your Honor.

By Mr. Gladstein:

Q. Now, Mr. McCuiston, when is the first time that you spoke to any representative of the Federal Bureau of Investigation with respect to any information you claim to have concerning Mr. Bridges?

A. Subsequent to July 1939, in July or August 1939.

Q. Was that during the hearing of the last trial against Mr. Bridges?

A. That was during the hearing, to the best of my memory. If you will refresh me with the dates of the last hearing, then, I will know. It was in July or August. If the hearing was taking place then it was during the hearing.

Mr. Gladstein: The hearing, as I recall it—I may be wrong—started in July and went through until sometime in [2106] September, your Honor.

(Testimony of William C. McCuistion.)

Presiding Inspector: I haven't the record here.

Mr. Gladstein: All right.

Presiding Inspector: Nor have I seen it. I don't care to see it. I have read Dean Landis' report. He gives the dates there.

Mr. Gladstein: Yes. Well, so we can have the record clear on that—

Mrs. King: May I call to the attention of your Honor and to the reporter that on page two of the report of James M. Landis in his findings and conclusions as Trial Examiner in the matter of Harry Bridges he states that the hearings were opened on July 10, 1939 and that these hearings continued almost uninterruptedly for eleven weeks, and that they were finally closed on September 14, 1939.

By Mr. Gladstein:

Q. Then, with that information—

A. (Interposing): It was during the hearings, yes.

Q. Now, who was it that you spoke to who represented the FBI?

A. Special Agent, Charles Weeks.

Q. Where? A. In New Orleans.

Q. And how did you happen to speak to Mr. Weeks? [2107]

A. I discussed the matter with Sherman Lemmon of the Maritime Commission and I had already made the acquaintance of Mr. Delaney, and at their suggestion I went to see Mr. Weeks.

Q. Was Mr. Weeks stationed in New Orleans as a representative of the FBI?

(Testimony of William C. McCuiston.)

A. He was Agent in charge at that time, to the best of my memory.

Q. When you spoke to him was anybody else present?

A. I don't recall. Mr. Weeks is in the Court room. I don't recall whether there was anyone else in his office. He had a very big office. I was sitting facing him. There might have been a stenographer there; I don't think there was. I think it was strictly a discussion between Mr. Weeks and myself.

Q. How long—

A. (Interposing): Mr. Lemon was present for a little while, I think, but he went out.

Q. How long were you there with him?

A. Oh, a maximum of forty-five minutes. I should judge, thirty, forty-five minutes.

Q. What took place?

A. A discussion about Bridges, a discussion about Communist activities in general; that was about all. [2108]

Q. Well, you came voluntarily to him?

A. I came voluntarily to him, yes.

Q. All right, and you announced that you wanted to see Mr. Weeks, and I take it, that he granted you an interview?

A. Yes, that is about right.

Q. All right, when you met the gentleman what did you say? What did you tell him, you had come to see him about?

A. I told him I came to talk to him about Com-

(Testimony of William C. McCuistion.)

munist activities in general and what they might mean to the labor movement, to the American Government as a whole, and we discussed them, but to go into a lengthy discussion I can sit here and have a discussion and I possibly would get a few words right that I said to him, but to remember the whole discussion I can't do it.

Q. I am only interested—if you will recall the questions I asked you, Mr. McCuistion—in what was discussed concerning Mr. Bridges.

Mr. Del Guercio: That is not correct. The last question was not in that form.

By Mr. Gladstein:

Q. Well, all right, I am interested in what you said to him with respect to Mr. Bridges?

A. Practically what I have said in this hearing here today. [2109].

Q. Did you or he raise the name of Bridges first?

A. That would be hard to say, since Bridges was the main—was one of the main objects of discussion, as to who raised it first. He was not—he didn't have me on the pan, was not giving me any third degree, or anything, and it was a friendly conversation, and the question of who raised it first I don't know.

Q. Is it your best recollection that there was or that there was not a stenographer present at any time during your conversation with Mr. Weeks?

A. My best recollection is there was no stenog-

(Testimony of William C. McCuistion.)

rapher present. There might have been another agent present, and Mr. Lemmon might have been there part of the conversation.

Q. On what note did that conversation end?

A. On what note did the conversation end?

Q. Yes. Were any arrangements, for example, made for the two of you to see each other again?

A. No. In fact, if I remember correctly, I told Mr. Weeks at that time that I was not interested particularly in the—

Presiding Inspector (Interposing): Well, there weren't any arrangements?

The Witness: No arrangements made whatsoever of any kind, no commitments made on the part of either one of us.

By Mr. Gladstein: [2110]

Q. Did you see Mr. Weeks again after that, concerning Harry Bridges?

A. I don't recall seeing him again after that until I saw him here in the Court room, here in San Francisco.

Q. Did you see any other representative of the FBI concerning the Bridges case after the one that you have just testified about?

A. Yes, I talked a short time after that—a week or two weeks after that I talked to Special Agent Sackett who was then in charge of the—who had relieved Mr. Weeks—I understand Mr. Weeks had been transferred somewhere else—and covered practically the same grounds.

(Testimony of William C. McCuistion.)

Q. Did you go up to Mr.—I didn't get that name. A. Sackett, S-a-c-k-e-t-t.

Q. Did you go up to Mr. Sackett's office at his request or as part of your own idea?

A. I went up to Mr. Sackett's office—I guess, I went up to see Mr. Weeks—that was it—and Mr. Weeks had departed and Mr. Sackett was then the agent in charge, and so we discussed the same thing.

Q. And how long did you talk to Mr. Sackett?

A. Perhaps thirty minutes.

Q. This was still during the trial of the Bridges' case?

A. This was still during the trial of the Bridges' [2111] case.

Q. And that case, or Harry Bridges, was discussed as part of your discussion?

A. As part of the discussion.

Q. When is the next time that you spoke to any Special Agent of the FBI concerning the Bridges' case or Harry Bridges?

A. The next time I recall speaking to any of them was in the New York office of the Federal Bureau of Investigation when I went to the office to ascertain if there was any clues to the rumor that I was wanted on a charge of murder.

Q. Will you date that?

A. That was in the month of October, 1939.

Q. Were any arrangements made as a result of your discussion with Mr. Sackett for you to come back?

(Testimony of William C. McCuiston.)

A. There were no arrangements made of any sort whatsoever.

Q. Was there a stenographer present during your discussion with Mr. Sackett?—

A. There was not.

Q. Did you give any statement to the FBI on either of the two occasions that you have mentioned?

A. I gave no statement to the FBI, but I understood that Mr. Delaney gave them a copy of the statement I had given him. [2112]

Q. What led you to that understanding?

A. The fact that their discussion showed they had some familiarity with the discussions that I had with Mr. Delaney. It was just a conclusion I drew; maybe I was wrong.

Q. When is the next time after the New York incident that you have just mentioned that you talked with the FBI concerning the Bridges' case or Harry Bridges?

A. When the two Special Agents of the Federal Bureau of Investigation visited me in the jail, in the Paris Prison in New Orleans, Louisiana.

Q. When?

A. Sometime between July 1940 and January 1941.

Q. Was this before your trial?

A. Before my trial, yes.

Q. What took place then?

A. It was merely—I was merely asked questions as to my acquaintance with Harry Bridges and

(Testimony of William C. McCuistion.)

questions covering generally my testimony before the Dies Committee, points of information.

Q. How long did that conversation last?

A. That conversation lasted, perhaps an hour.

Q. Was there any stenographer present?

A. There was no stenographer present.

Q. Were notes taken by either of the FBI Agents of what [2113] was discussed?

A. There were notes taken by both of them, yes.

Q. Do you remember the names of the agents?

A. Special Agent Griffen was one; Special Agent Scott was the other one.

Q. Were you asked to sign any statement?

A. I was not asked to sign any statement.

Q. And you didn't?

A. And I didn't sign any statement.

Q. Was any arrangement made at that conversation for any further interview?

A. There were no arrangements made whatsoever.

Q. When is the next time that you discussed Harry Bridges or the Bridges' case with any representative of the FBI?

A. Well, I presume that Mr. Del Guercio is a representative of the FBI or Immigration. That was when I was subpoenaed and called here.

Q. Well, when was that?

A. I was subpoenaed last week in Port Arthur, Texas, and I arrived here Monday morning.

Q. Have you ever worked with or for the FBI?

(Testimony of William C. McCuistion.)

Mr. Del Guercio: If your Honor please, that has been asked and answered before, yesterday, I believe. [2114]

Presiding Inspector: I am not sure about it.

Mr. Gladstein: I don't recall.

Presiding Inspector: Well, if not, I will allow it anyway. It may have been covered. If it has been covered it won't help.

Mr. Gladstein: Do you have the question?

A. I have never worked either with or for the FBI, no.

By Mr. Gladstein:

Q. Well, have you made reports to them or supplied them with information?

A. At various times I have supplied them with information strictly as a citizen, without any commitments on their part or on my part.

Q. What does this information refer to that you were supplying for the FBI in a general way?

Mr. Del Guercio: If your Honor please, I certainly object to that. Counsel has no right in this proceeding here to ask what kind of information he has given any Governmental agency—he knows that—unless it is in regard to this particular matter.

Mr. Gladstein: I am not asking him to divulge the specific information. I am asking him what kind of information he gave. [2115]

Mr. Del Guercio: Nor the kind, if your Honor please, unless it has to do with this case.

(Testimony of William C. McCuistion.)

Mr. Gladstein: It certainly does, and I will put it in this form:

By Mr. Gladstein:

Q. Have you ever supplied the FBI with labor information or trade union information?

Mr. Del Guercio: If your Honor please, trade union or labor information is not involved in this case. We are trying an alien here, to determine whether he is subject to deportation. That is the only issue. Labor unions or labor matters are not involved in this at all, and counsel knows that.

Presiding Inspector: I know, but at the same time we are covering a wide field here.

Mr. Del Guercio: We are not covering a wide field, your Honor. It is counsel that is covering a wide field; we are covering a specific field.

Presiding Inspector: Well, there is a wide field of investigation offered here and I think it should relate in some way to labor matters such as are involved here, Mr. Gladstein. Don't you think so?

Mr. Gladstein: Well, I could say this, your Honor: Of course, there is no point in asking the question after the witness knows what you are seeking, but I may as well state [2116] exactly what I have in mind.

I want to know whether Mr. McCuistion has supplied the Federal Bureau of Investigation with information on trade unions of the character known in labor circles as labor espionage. That is what I want to know, and I think that would be material

(Testimony of William C. McCuiston.)

because it would reflect on the character of the witness.

Presiding Inspector: I am not passing on that one way or the other. It might reflect or it might not reflect.

If Mr. McCuiston has given information in the nature of reports in labor espionage he might answer.

The Witness: I have never given any reports in the nature of labor espionage to the FBI or to any other agency or person in my life.

Presiding Inspector: It is somewhat categorical.

Mr. Gladstein: I would like to have the question answered that I asked, your Honor.

Mr. Del Guercio: I believe the question has been answered, your Honor.

Presiding Inspector: With your explanation, doesn't it answer the question?

Mr. Gladstein: No.

Presiding Inspector: Well, then ask it again.

Mr. Gladstein: Would you read the question to refresh me [2117] as to how I put it?

(The question referred to was read by the reporter as above recorded.)

Mr. Gladstein: That is the question I have in mind.

Presiding Inspector: Have you ever supplied the FBI with trade union or labor information?

Mr. Gladstein: Yes.

(Testimony of William C. McCristion.)

Presiding Inspector: In relation to any unions with which you had any connection?

The Witness: Never in my life.

By Mr. Gladstein:

Q. Or with relation to unions with which you did not have a direct or indirect connection?

Mr. Del Guercio: If your Honor please—

Presiding Inspector (Interposing): Now, we can't go in as broadly—it wouldn't be labor espionage. It wouldn't bear on his character at all, would it, even under your view? Supposing he told something about the Woodworkers in the factories in Maine? Would that have anything to do with this case?

Mr. Gladstein: It depends on just what he did. He might have talked to members of the union, obtained information from them and reported it.

Presiding Inspector: Well, you had a statement that he did not.

Mr. Gladstein: That was a conclusion. He says "I have [2118] never engaged in labor espionage." That is his statement, but the expression "labor espionage", of course, is a broad term. In making my statement to the Court I was using a term which inherently consists of words of conclusion. Now, I wanted to get to the actual facts as to whether he had supplied information that related to trade union or trade union activities.

Presiding Inspector: Well, is this a general question to test his credibility on this matter or to affect his character?

(Testimony of William C. McCuiston.)

Mr. Gladstein: This is a question going to his character; it is a question going to bias.

Presiding Inspector: I think, if you have any such information you ought to call it to his attention. It would be fairer to do so, at any rate.

Mr. Gladstein: Well, I assure the Court, in the first instance, that any information that Mr. McCuiston has given to the FBI is not in our possession. We do not have it and we do not know anything about it.

Presiding Inspector: All right, you may answer. Answer the question.

A. I have never given the FBI any information regarding union activities of any sort. They have never asked me such a question.

By Mr. Gladstein: [2119]

Q. Have you given the FBI information concerning what you considered Communist activities in trade unions?

A. I have given the FBI information, what I considered un-American activities in unions and in various other places, yes, especially in relation to espionage.

Q. Now, you mentioned earlier this morning that when you were testifying before the Dies Committee you had a lot of notes, I think you said. Did you also have some records?

A. I did have records, 12 suit cases full of them.

Q. From whom did you get them?

(Testimony of William C. McCuiston.)

A. They were, some of them, former records of mine. They were, some of them, records that were given to me by various persons who had been formerly officials of the unions, who had been careful enough to keep copies of everything that went through, and records of various sorts gathered over a period of a number of years.

Q. Were you supplied with any of the materials that you have just mentioned that were in your possession—

Mr. Del Guercio (Interposing): Your Honor, we object to this line of questioning. We are not trying what material he had before the Dies Committee. I repeat again, I think we are getting far afield from the issues involved in this case.

Presiding Inspector: I know, but this is a witness offered by the Government and I will allow his recollections [2120] to be tested to see how much he remembers about these matters and anything that might be taken to reflect on his credibility. I will take it.

Mr. Del Guercio: Well, may I ask here: There was one question that was asked by counsel. He said he was asking those questions to test the witness' character. He asked if he had furnished any information and the witness replied that he had furnished information concerning espionage.

Now, does that go to the witness' character?

Presiding Inspector: Well, the question might have gone to the witness' character, that is, the answer to the question might have gone to the wit-

(Testimony of William C. McCuiston.)

ness' character if it had been answered in a certain way, and that is the theory upon which counsel is asking these questions, I assume. I think I will allow it.

By Mr. Gladstein:

Q. Now, I will re-ask this question, Mr. McCuiston.

The materials that you had in the 12 suit cases when you went to testify before the Dies Committee—

Presiding Inspector (Interposing): Of course, I might say further—excuse me for interrupting.

Mr. Gladstein: Of course, your Honor.

Presiding Inspector: I might say that the answer to his question might possibly be argued by you to go to his good character. [2121]

Mr. Del Guercio: Certainly. Well, I don't want my observation—

Presiding Inspector (Interposing): We will allow the question to be asked.

Mr. Gladstein: Are you ready now?

Presiding Inspector: Yes sir.

By Mr. Gladstein:

Q. Mr. McCuiston, with respect to the materials contained in the 12 suit cases that you had with you at the time you testified before the Dies Committee, were any of those materials supplied to you by Peter Innes? A. Yes, sir.

Q. A substantial portion?

A. A substantial portion of them.

(Testimony of William C. McCuistion:)

Q. Was Innes a friend of yours?

A. Innes was a friend of mine, yes, sir.

Q. He still is?

A. He still is a friend of mine.

Q. Do you know where he got some or any part of these materials he supplied you?

A. I remember—if I correctly remember—

Mr. Del Guercio (Interposing): I object to that question.

Presiding Inspector: I will take it. Go ahead.

The Witness: If I remember correctly I answered that [2122] question in testimony before the Dies Committee. I stated before the Communists purged Innes he purged the files.

By Mr. Gladstein:

Q. I asked you this question:

A. (Interposing): That is my answer.

Mr. Gladstein: Just a moment. I will ask that the question be asked again. It doesn't call for what he told the Dies Committee. It calls for an answer now.

Would you read the question, Miss Reporter?

(The question referred to was read by the reporter as above recorded.)

Mr. Gladstein: That could be answered "Yes" or "No".

Presiding Inspector: Do you want it to be answered "Yes" or "No"?

Mr. Gladstein: Sure.

Presiding Inspector: You may answer it.

(Testimony of William C. McCuiston.)

A. Yes.

By Mr. Gladstein:

Q. Isn't it true that some of the materials he obtained and turned over to you were stolen from the home of Joe Curran?

A. It is not true.

Q. Isn't it true that those materials were taken without the consent of Joe Curran, from the home of Joe Curran? [2123]

A. That is not true. At the time those materials were taken Joe Curran didn't have a home. He was just a bum sleeping on the floor part of the time.

Q. What did you mean when you said that Innes purged these records?

A. Innes was in full charge of the records at one time of the Seamen's Defense Committee, and certain of these records related to Innes, and later on when those records were taken over, I would say stolen by members of the Communist Party, working in the office of the National Maritime Union, Innes went one step ahead of them and caught them when they were sleeping and got the records referring to him back so they couldn't be used against him.

Q. Were these union records?

A. They were records of various sorts. They cover everything from personal letters about Harry Bridges and, I think, from Harry Bridges and from Joe Curran, and teletype reports and a little bit of everything.

(Testimony of William C. McCuiston.)

Q. Did the things that Mr. Innes took include union records?

A. Not official union records, as I recollect; copies of union records, the originals of which the union has files yet.

Q. Were some of these union documents communications to [2124] or from the union?

A. Oh, a few of them were, yes.

Q. That was union property, wasn't it?

Mr. Del Guercio: If your Honor please, we are going pretty far afield there on that. Now, that is a collateral matter and it seems to have been covered.

Presiding Inspector: Well, he can say whether they were union property.

A. They were property of the union membership and Pete Innes was a union member.

By Mr. Gladstein:

Q. And did you supply the Dies Committee with these records?

A. Such as they cared to use and include in the record I supplied them with.

Q. That included these union documents of whatever character they were?

A. Of whatever character they were, and whatever character—

Q. (Interposing): Did you supply any of those to the FBI?

A. I haven't as yet, but if the FBI wants anything I have got they can have them.

Q. Now, I want to read you from the testimony

(Testimony of William C. McCuistion.)

of Mr. [2125] Peter Innes before the Dies Committee. You know that he testified before this Committee?

A. I know that he testified, yes.

Mr. Del Guercio: Well, I object to him reading the testimony of Peter Innes.

Mr. Gladstein: I want to frame a question.

Presiding Inspector: Well, I will hear the question.

Mr. Gladstein: This appears in Volume 13.

Presiding Inspector: Don't answer this.

The Witness: All right.

By Mr. Gladstein:

Q. Volume 13 of the Dies Committee records. It starts at the bottom of page 8062.

Mr. Del Guercio: We don't have that, your Honor.

Mr. Gladstein: Well, you can come over here.

Mr. Del Guercio: I don't want to come over there.

Mr. Gladstein: All right.

By Mr. Gladstein:

Q. "The Chairman. — I suppose that refers to Mr. Martin Dies

"Are those all original copies of letters that you wrote and kept?

"Mr. Innes: Originals and copies. Well, Mr. Chairman, I have practically all of the originals of my own letters. It may seem funny to the Committee how I happened to get them [2126] but when

(Testimony of William C. McCuiston.)

I came back from the Coast I got orders from Joe—he told Walter Coney and myself to go up to the apartment, up to where he was living and destroy the papers that were up there.

“They were all personal correspondence and the spring strike records and a lot of the financial records from the fall strike, so I asked him, I said, ‘How did all this stuff get up there, Joe’ and he said, ‘You know how it is whenever I want to get things out of here, why, I just get a rumor that the FBI is going to make a raid and I just purge the files and send them to my house.’

“So when I went up there—” this is Mr. Innes talking, and I might interpolate to say that the context shows clearly that his reference to “Joe” is a reference to Joe Curran—“So when I went up there — ” continues Mr. Innes — “And I went through it and found all my correspondence, so I purged the originals and put them with my carbon copies, and so I have them both.”

Now, after hearing that testimony in which Mr. Innes said that he took some of these materials from the apartment of Joe Curran, do you wish to change your previous testimony in any respect?

Mr. Del Guercio: Just a minute. I object to that, if [2127] you Honor please. Counsel has no right by any rule of law to confront this witness with the testimony of another witness.

Presiding Inspector: It isn't shown that it is the testimony; you assume that. That may be technical.

(Testimony of William C. McCuiston.)

Mr. Gladstein: You mean as to whether this is his testimony?

Presiding Inspector: Yes.

Mr. Gladstein: I don't know.

Presiding Inspector: We haven't that introduced in evidence.

Mr. Gladstein: Oh, no. But it is sort of a public record, a public document.

Presiding Inspector: I know. We can't take judicial notice of it; at least, I shouldn't think we could.

Mr. Gladstein: I don't know, your Honor.

Mr. Grossman: There is a presumption in California that establishes a prima facie case it purports to be a document of the Government.

Presiding Inspector: Well, then it can be introduced in evidence.

Mr. Grossman: Yes.

Presiding Inspector: It isn't introduced in evidence now.

Mr. Gladstein: Of course, much of it is self-serving. Much of it we have no desire to introduce because we were not [2128] present and given an opportunity to cross examine. I might say every witness, I mean witnesses like Mr. McCuiston and Mr. Innes who appeared before the Committee, were given a very friendly reception by the Committee, not subjected to any cross examination. The point is this documents purports to be published—I don't think Mr. Del Guercio will raise any question about it because copies are available from the

(Testimony of William C. McCuistion.)

Committee—and in its publications one finds testifying before the Dies Committee at various times were men like Mr. McCuistion, Mr. Innes, Mr. Giltlow, and three or four others, I think, two or three others who appeared in this hearing, or who said that they had some connection with the Dies Committee.

Presiding Inspector: Well, now, we are asking here, as I understand it, in general, what the information is of this witness as to how Mr. Innes got these documents?

Mr. Gladstein: That is right.

Presiding Inspector: Now, how is that very material?

Mr. Gladstein: Well, it goes to the question—you see, I asked this witness whether he used certain materials that he obtained from Mr. Innes and he said "Yes". Now, I think there is some materiality to the point that if Mr. McCuistion knew that Mr. Innes had taken union records to which he had no right and used them, and Mr. McCuistion used those records before the Dies Committee, introduced them before the Dies Committee and, as he states, is ready to give them to the [2129] Federal Bureau of Investigation, and these, mind you, are the records of strikes and the correspondence of the union and are precisely the kind of thing that labor spies turn over to anti-labor and anti-union forces—

Presiding Inspector: (Interposing) I don't

(Testimony of William C. McCuiston.)

see any materiality in it, but if you want it you may have it.

Mr. Del-Guercio: May I be heard, your Honor, please.

Presiding Inspector: Yes.

Mr. Del Guercio: I think that the remark of counsel here is very significant and goes to this case. Now, we all know, and it is a matter of public record, that the Dies Committee was investigating subversive activities, un-American activities, and counsel made the statement that we, indicating his own counsel here, and Harry Bridges, were not given an opportunity to appear before that Committee. I think that that remark is very, very significant.

Presiding Inspector: Well, I don't consider that. I think I will allow him to—

Mr. Gladstein: (Interposing) Half of the witnesses that the Government has produced in this case are witnesses that appeared before Congressman Dies and told their stories there at that time. Now, they have been brought by Mr. Del Guercio into this hearing.

Presiding Inspector: And that gives you every opportunity [2130] to examine them because you have their statements in advance so that you know everything that they are going to say, or practically everything. You ought to be glad.

Mr. Gladstein: Except it crosses us up by their saying things that are at variance with things they testified to before.

(Testimony of William C. McCuistion.)

Presiding Inspector: I say you ought to be glad this has occurred in this way.

Mr. Gladstein: I haven't any objection to the Government using witnesses that appeared before the Dies Committee. I think the labor movement knows generally how to characterize that, your Honor.

Presiding Inspector: I think that is a little uncalled for, Mr. Gladstein.

Mr. De Guercio: Not only uncalled for but——

Mr. Gladstein: (Interposing) I will withdraw that remark.

Presiding Inspector: Let's stop there, both sides, and go on and take the testimony.

I will let you answer that.

The Witness: Judge, I would like to answer this question, that these records were not union property.

Presiding Inspector: Now, assume, as a matter of fact, that Mr. Innes gave the testimony that was read. Does it in [2131] any way refresh your recollection or make you want to change anything that you have testified about these papers?

The Witness: It makes me want to clarify one point, yes sir.

Presiding Inspector: Very well, do it.

The Witness: The point is that the testimony——

Mr. Gladstein: (Interposing) I didn't hear——

(Testimony of William O. McCuiston.)

Presiding Inspector: (Interposing) He said it makes him want to clarify one point.

Mr. Gladstein: That he stated?

Presiding Inspector: That he stated.

The Witness: The statement of the witness there makes it very clear that it was not Pete Innes that stole the records, that it was Joe Curran that stole the records from the strike headquarters of the union hall, took them to his own house, sent Peter Innes and another guy up to burn them, to destroy property which actually belonged just as much to Innes as it did to Curran. That is a habit of that kind of people anyway.

Presiding Inspector: Well, I think that doesn't clarify very much.

The Witness: That is what he read. It says that there.

Presiding Inspector: That is all right.

Now, Mr. Gladstein, I get the impression from this [2132] answer that he doesn't want to change anything.

Mr. Gladstein: That he doesn't what, your Honor?

Presiding Inspector: Doesn't want to change anything.

Mr. Gladstein: That is all right.

By Mr. Gladstein:

Q Mr. McCuiston, I get an impression from your testimony—and I wish to ask you whether it is a correct impression—

Mr. Del Guercio: (Interposing) I object to

(Testimony of William C. McCuiston.)

the form of the question. We are not concerned with what impression counsel gets.

Presiding Inspector: Let's hear the question. It may be very unimportant; then, you won't object to it.

By Mr. Gladstein:

Q. Is it correct that you were in a position of, shall we say, greater confidence with the leaders of the Communist Party when you were not a member of that organization than when you were a member? A. It is actually a fact, yes.

Mr. Gladstein: I haven't any further questions.

Presiding Inspector: Very well. Call the next witness.

Do you wish to ask him anything further?

Mr. Del Guercio: Yes, I do, your Honor.

Presiding Inspector: Very well. [2133]

Mr. Del Guercio: Now, if the Court please, in cross examination this witness concerning his testimony before the Dies Committee counsel did not read the entire testimony in that place and I would like to ask the witness these questions:

Presiding Inspector: That you may do.

Redirect Examination

By Mr. Del Guercio:

Q. Beginning at the bottom of page 6745 of the hearings before the Committee on Un-American Activities, House of Representatives, 67th Congress, counsel read the last question appearing on that page, only the first part of it, and stopped with this:

(Testimony of William C. McCuistion.)

"I told him I had been put out and I was going to go on a long trip to the Orient and think it over."

Now, Mr. McCuistion, did you also in reply to that question say "He said,—"—referring to Bridges, I assume—"—that won't ever do; you will have to go to work here; you will have to continue your work and activities here."

"I said, 'What do you mean by work and activities?'"

"He said, 'We have discussed this and the only way you can really contribute to the work here is to begin to work.'"

"And I said, 'No.' I was intent on going.

"Then he said, 'If you do we will see that you never get in the Party again.'"

"I told him that I did not want to get into the Party.

"He said, 'You don't now, but you will want to come back [2134] in.'"

Then, a question by Mr. Thomas: "At that time, Mr. McCuistion, do you know whether Bridges was referring to the union work or work of the Communist Party?"

By Mr. McCuistion: "My work as a Communist on the waterfront."

And by Mr. Whitley: "And he told you that if you did, as you had planned, and did not stay there and continue your work on the waterfront you would never get back into the Party?"

"Mr. McCuistion. Yes.

"Mr. Whitley: That is the Communist Party?"

(Testimony of William C. McCuistion.)

"Mr. McCuistion. Yes.

"Mr. Thomas. He was referring to the Communist Party; you are sure of that?

"Mr. McCuistion. Very definitely; yes.

"Mr. Whitley. Did you have any subsequent conversation with him, Mr. McCuistion?

"Mr. McCuistion. The next conversation I had with Harry Bridges was the one I related, at Madison Square Garden, the time of the Madison Square Garden meeting when we discussed the Communists generally, and also the question came up in the course of that time that while I was pretty well straightened out why I did not come back to the Party. [2135-36]

"I said, 'No; I was satisfied out of the Party.' That if the Party put out a program that I thought was all right I would support it but I would not join anything; that I would never join it again."

Now, Mr. McCuistion, did you give such testimony before the Dies Committee?

A. Yes, sir.

Q. Is that at variance with the testimony you have given here? . . . A. Not at all.

Mr. Gladstein: Well, I think—

Presiding Inspector: (Interposing) Well, I think that is for the final arbiter here to determine.

Mr. Gladstein: We don't have any objection to him saying "No" as a matter of fact, because—

Mr. Del Guercio: Just a minute. I am not asking you what—

Presiding Inspector: (Interposing) Well, now,

(Testimony of William C. McCuiston.)

you have asked him whether that is the testimony he gave and he said it was.

Now, do you want to ask him whether it is true?

Mr. Del Guercio: I want to ask him if he reconciles that with the testimony he gave at this hearing here.

Presiding Inspector: Well, that is for the arbiter in the [2137] proceeding, I suppose, to determine.

Mr. Del Guercio: But counsel for the defense here has asked the witness that question.

Presiding Inspector: Well, you can ask him whether this requires any reconciliation of the testimony that he has given, in his judgment, if you want to. It is hardly a legal subject for evidence but if you want to ask it you may.

The Witness: I think the wording was, perhaps, a little different, but the meaning was the same.

Mr. Del Guercio: No, I won't ask the question; never mind.

Presiding Inspector: He has already said the testimony he gave before the Dies Committee was true.

Mr. Del Guercio: Yes.

By Mr. Del Guercio:

Q. Now, Mr. McCuiston, I am reading from page 6522 of the same Dies Committee report, on the bottom of page 6522. Counsel directed your attention to this question by Mr. Voorhis but did not receive your answer.

(Testimony of William C. McCuistion.)

"Mr. Voorhis. Mr. McCuistion, how do you know that Bridges was a Communist at that time?"

Your answer: "Mr. McCuistion. I know it merely by the fact the leading members of the Communist Party told me he was a Communist."

Was that your testimony in this hearing?

A. Yes, sir. [2138]

Q. "—and their authority over him was shown by the fact that he subsequently did accept and did come to the meeting."

Was that your testimony in this hearing?

A. Yes, sir.

Mr. Gladstein: One moment.

By Mr. Del Guercio:

Q. Now, what meeting did you refer to?

Mr. Gladstein: Just a moment.

Mr. Del Guercio: Do you want to make an objection?

Mr. Gladstein: Yes, I want to ask a point of information through the Court.

When Counsel says "this hearing" is he referring to the Dies Committee hearing or the present hearing?

Mr. Del Guercio: I am referring to this proceeding here.

Presiding Inspector: The present proceeding.

Mr. Gladstein: Oh!

By Mr. Del Guercio:

Q. "Mr. Voorhis. He did come?"

"Mr. McCuistion. And at various other times"

(Testimony of William C. McCuistion.)

I have discussed Communism with Harry Bridges myself, and Harry Bridges has upbraided me for not returning to the Communist Party as an active member." [2139]

Have you so testified in this proceeding?

A. Yes sir, I have so testified.

Q. And did you so testify before the Dies Committee?

A. I did; yes, sir.

Q. And the next question appears by Mr. Whitley: "Later on Mr. McCuistion will discuss his own personal conversations with Bridges, but I want to develop this in chronological order.

"Now, will you continue with your testimony on the Madison Square Garden rally and the events leading up to it?"

Was that question asked you by the Dies Committee?

A. Yes, sir.

Q. And by Mr. McCuistion: "We decided, first, to hold the meeting on December 14th, but the Garden was not available at that time and we had to take the night that the Garden had off, which was the night of December 16th."

Presiding Inspector: Well, don't think you have covered this? There has been no cross examination on this particular point.

Mr. Del Guercio: Well, he was—

Presiding Inspector: (Interposing) As to what was said before the Dies Committee?

Mr. Del Guercio: As I understand it—maybe my understanding is incorrect—counsel has alleged here, to the Court that the witness' present testimony was

(Testimony of William C. McCuiston.)

inconsistent with the testi- [2140] mony given in the Dies Committee hearing.

Presiding Inspector: I don't understand that.

Mr. Del Guercio: And he has taken portions of the testimony in the Dies Committee and confronted this witness, and I am trying to read—

Presiding Inspector: (Interposing) That doesn't go any further than when the confrontation occurred. That doesn't open the door to you showing consistent statements made some other time,

[2141]

Mr. Gladstein: Which would be self-serving.

Presiding Inspector: It wouldn't be competent or material in a legal sense to show that there were similar statements made at another time, unless you brought them in the case.

Mr. Gladstein: Right.

Presiding Inspector: Of course, where you brought a part of the question into the case possibly it is proper for him to read the rest of the question or the rest of the answer.

Mr. Gladstein: I didn't object.

Presiding Inspector: And you didn't object.

By Mr. Del Guercio:

Q. Mr. McCuiston, you testified in this proceeding that the Communist Party has threatened and been after you ever since you testified before the Dies Committee?

A. Yes, sir. In fact, ever since I started actively opposing them.

(Testimony of William C. McGuistron.)

Q. Did you so testify also before the Dies Committee? A. Yes, sir.

Q. Did you testify before the Dies Committee—I will read from page 6751.

Mr. Gladstein: I think that comes clearly—before counsel starts—within the ruling you have just made.

Presiding Inspector: I shouldn't think it was competent, but I will allow him to ask the question. I will also ask the witness not to answer. [2142]

Mr. Gladstein: The page number, please?

Mr. Del Guercio: If I can get a ruling on this maybe it won't be necessary to ask the witness this.

Counsel here for the defense has tried to show, by reading portions of the witness' testimony before the Dies Committee, that his testimony here in these proceedings was not correct.

Presiding Inspector: In certain respects.

Mr. Del Guercio: The witness has said that if the entire testimony before the Dies Committee was taken it would show no variation, no inconsistency, with his testimony in the present hearing. In order to meet that, counsel's implications and counsel's charges, I am trying to bring this in now.

Presiding Inspector: I think that goes too far. It takes us too far afield.

Mr. Gladstein: We don't object because the very statement counsel is about to read is inconsistent with the witness' testimony and I join with counsel in a request that the statement should be read.

Presiding Inspector: Whether or not it is in

(Testimony of William C. McCuiston.)

consistent would be a question for the arbitrator of the trial.

Mr. Gladstein: Yes; but we think it is inconsistent and, therefore, we have no objection to it. In fact, we request that he read that part of it.

Mr. Del Guercio: That is very nice of you.

[2143]

Presiding Inspector: I don't know which way—first, it was objected to and then it was suggested that I could rule, even before the question was asked, and then I said I would hear the question, and the question hasn't been fully put; then Mr. Gladstein says he would like to have it read. You don't have to read it. Go ahead. Read it if you want to, or leave it out if you wish.

Anything further?

Mr. Del Guercio: May I have a moment?

Presiding Inspector: Certainly.

Mr. Del Guerdio: If the Court please, I have one more from this report of the hearing before the Special Committee, and that is the question that counsel read at the bottom of page 6745 in support of his apparent contention that the testimony in that regard in this hearing varied with that in the Dies Committee.

Mr. Whitley: Will you describe some of those conversations and the meetings?

Mr. McCuiston: The first conversation that I ever had with Harry Bridges at any length of time was in 1935 at San Francisco. This was shortly before Bridges was taken to the hospital with a

(Testimony of William C. McCuiston.)

perforated ulcer. And Bridges and I met just before the meeting of the Maritime Federation of the Pacific, and at that time I was introduced to Bridges by Pyies of the Radio Telegraphists, and several others, and Bridges [2144] proceeded to ask me why I was there and what I was doing on the west coast."

By Mr. Del Guercio:

Q. Do you recall that question being asked you?

A. Yes, it seems that I do.

Q. Did you necessarily refer to the very first conversation you had with Mr. Bridges in answer to that question?

A. I considered all conversations I had held that day as the first conversation. I can't place them in the order. I might have talked to him two or three times that day. I might have even forgotten a few words I said to him.

Q. Were you asked if you had any other conversations on that day? A. No, I was not asked.

Q. Was the answer that I have just read to you your answer to the Dies Committee?

A. Yes, sir.

Mr. Del Guercio: That is all.

Recross Examination

By Mr. Gladstein:

Q. Mr. McCuiston, after the answer that you gave to the Dies Committee about the first conversation that you ever had with Harry Bridges, the one that Mr. Del Guercio read, you were asked, were you not, this:

(Testimony of William C. McCuistion.)

“Did you have any subsequent conversation with him, Mr. [2145] McCuistion?”

A. If it is in the testimony there, I was asked that. I testified for four days and I would have to be a pretty brilliant man to remember every question and every answer. But if it is in the Congressional Record I certainly was asked the question. If the answer is in there it is most certainly my answer.

I think the answer has already been read.

Mr. Gladstein: Would you read back, Mr. Reporter, and get for me the page reference that Mr. Del Guercio made at the time that he was going to ask Mr. McCuistion a question concerning threats and Communists? I would like to have that page reference if I may.

Mr. Schofield: 6751.

The Reporter: 6751.

By Mr. Gladstein:

Q. Did I understand you to say that the records that you introduced in the Dies Committee did or did not include official and confidential union matters?

Mr. Del Guercio: Your Honor, that matter has been gone over too and this isn't proper—

Mr. Gladstein: (Interposing) It may not be strictly proper recross examination, but I ask the indulgence of the Court on it. It won't take long on this.

Presiding Inspector: I think he testified to that.

(Testimony of William C. McCuiston.)

By Mr. Gladstein:

Q. Did it or did it not?

A. It contained both personal and official records, but they had been removed from the Union hall long before I got them, or before Innes ever got them.

Q. Did they include minutes of the membership meeting of the Marine Firemen's Union?

A. Yes. They were distributed to the membership when we used to have a democratic constitution.

Q. Did it include resolutions adopted by the Union? A. Yes.

Q. Did it include financial records?

A. Very definitely; yes.

Q. Did it include strike records, strike committee records, and strike records? A. Yes.

Q. Do you know whether or not at the National Convention of the Congress of Industrial Organizations, held in San Francisco in the year 1939 you were included, together with others, in a resolution adopted by that convention condemning the group in which you were included, as labor spies and agents of employers?

Mr. Del Guercio: If your Honor please, I object to that question.

Presiding Inspector: Excluded. [2147]

Mr. Gladstein: I am asking for his knowledge.

Presiding Inspector: Excluded. It doesn't make any difference whether he knows about it or not. How can that be of any materiality? Suppose any-

(Testimony of William C. McCuiston.)

body of people shouted out denunciations against any witness, how is it competent in a court of Justice or in an Administrative proceeding?

Mr. Gladstein: I would say that ordinarily your Honor is correct, that it doesn't make any difference what one person or group calls another person.

Presiding Inspector: In our State even an indictment by a grand jury isn't competent.

Mr. Gladstein: I haven't finished. When a witness takes the stand and testifies that attacks directed against him are attacks made by the Communist Party, and Communists, and he limits himself to that, and that the reason, as he implies, or states specifically, is that he is fighting the Communists, it then becomes material to show that the witness has been condemned as an anti-Union person, an employers' agent, a labor spy, by one of the largest labor organizations in the United States;—that is the Congress of Industrial Organizations.

Presiding Inspector: I think it is a mere charge and not binding on him in any respect.

The Witness: I have—

Presiding Inspector: Just a moment. I have heard enough [2148] time to talk with counsel.

I will exclude it as immaterial, irrelevant and too remote.

Mr. Gladstein: I think that is all.

Mr. Del Guercio: No further questions.

Presiding Inspector: You are excused.

(Witness excused.)

Presiding Inspector: Call your next witness.

Mr. Del Guercio: Now?

Presiding Inspector: I think you had better call your next witness. We have another quarter of an hour.

Mr. Schofield: Let me see the resolution you were referring to.

Mr. Grossman: You want to see it when you objected to it?

Mr. Gladstein: Did your Honor hear the remark made by Mr. Connelley when we refused Major Schofield the right to examine the resolution?

Presiding Inspector: I did not hear it.

Mr. Gladstein: I think your Honor should admonish Mr. Connelley, here representing the Government, for turning around and saying, "Go to hell." Even if the Court did not hear it he intended that we should hear it.

Presiding Inspector: I think you are out of order.

Mr. Gladstein: I think Mr. Connelley was out of order. [2149]

Presiding Inspector: But you are out of order.

I am not ruling on Mr. Connelley. I heard nothing, and I wouldn't have known anything about it except that you put it on the record.

Mr. Gladstein: Mr. Connelley certainly intended by his remarks—

Presiding Inspector: I think you should apologize to the Presiding Examiner for misconduct, but I don't insist on it.

Little

Mr. Gladstein: If I am guilty of misconduct in calling to your Honor's attention—

Presiding Inspector: It was something I said I didn't hear.

Mr. Gladstein: If I am guilty of misconduct in calling to your attention, even if you didn't hear it, the fact that Mr. Connelley got up and turned on us and told us to "Go to hell," then I apologize to you.

Presiding Inspector: I accept the apology.

Now, we will go on. I am afraid we are having our nerves a little on edge today.

Call your next witness.

Mr. Schofield: I didn't hear it either.

Mr. Del Guercio: Take the stand, Mr. Innes.

Presiding Inspector: Stand up and raise your right hand. [2150]